



FY 2005 Performance Partnership Agreement

March 2005



FY 2005 PERFORMANCE
PARTNERSHIP AGREEMENT
BETWEEN
ILLINOIS EPA AND REGION 5, USEPA

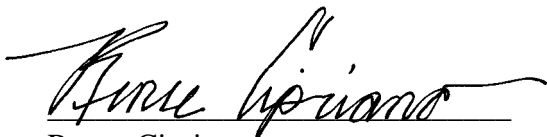
We are pleased to execute our tenth Performance Partnership Agreement and thereby to continue the journey envisioned in the National Environmental Performance Partnership System. This agreement sets forth our mutual agenda for continued environmental progress and our expectations for the state/federal relationship. We have assembled in one comprehensive document the joint priorities, goals, strategies and measures for most of the environmental programs that are carried out in Illinois. Illinois will also operate under a Performance Partnership Grant that provides federal funding for the programs described in this agreement.

The execution of this agreement demonstrates our continuing commitment to environmental improvement that is both cost-effective and responsive to public concerns. We believe that this agreement meets our obligation to find better ways of accomplishing our regulatory objectives. It also builds upon the lessons learned from previous partnership agreements.

Entered into on this JAN 28 2005.

For Illinois EPA:

For Region 5, USEPA:



Renee Cipriano
Director



Bharat Mathur
Acting Regional Administrator

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I. GENERAL PURPOSE AND CONTEXT

The purpose of this Federal Fiscal Year 2005 (FY05) Performance Partnership Agreement ("the Agreement") is to set forth the mutual understandings reached regarding our state/federal relationship, the joint environmental priorities and mutual interests, the desirable environmental outcomes, the performance expectations for the participating programs, and the oversight arrangements between the parties. The parties to this agreement are the Illinois Environmental Protection Agency (Illinois EPA) and Region 5 of the United States Environmental Protection Agency (Region 5).

A. State/Federal Environmental Partnership

This agreement is designed to be consistent with the "environmental partnership" as described in the National Environmental Performance Partnership System (NEPPS). The parties concur with the principles that are enumerated in the NEPPS and are proceeding in accordance with the framework shown therein.

B. Relationship of Agreement to Grants

Illinois EPA will operate under a Performance Partnership Grant (PPG) in FY05. The programs that are described under this agreement and the corresponding media office work plans are coordinated with the program elements used for the PPG. With this approach, we have taken a major step towards a more integrated approach to environmental management in Illinois.

Illinois EPA operates under a PPG to gain more flexibility in use of federal funds, to reduce the administrative burden of having numerous, specific categorical grants/work plans, and to continue some key resource investments in priority activities. To best achieve the administrative benefits of a PPG, fewer grant actions and awards are desirable. However, where an issue is identified in a single media program, Region 5 will move to award the remaining resources while seeking to resolve the issue. Both agencies commit to timely identification and appropriate level of engagement on all such issues.

The parties also recognize that some specific project grants will continue in effect and operate in concert with this Agreement. These special activities are best managed in this coordinated manner to ensure program integrity. The FY05 federal performance partnership grant to Illinois EPA includes the following programs for which this agreement serves as the program commitment:

1. Air pollution control program (CAA, Sec. 105)
2. TSCA compliance assurance
3. Hazardous waste management program
4. Underground injection control program
5. Water pollution control program (CWA, Sec., 106)
6. Public water system supervision program

Congress requires U.S. EPA to negotiate a fair share objective with each state for procurement dollars covering supplies, construction, equipment and services. The current negotiated rates require, to the fullest extent possible, that at least 17 percent of federal funding for prime and subcontracts awarded in support of U.S. EPA programs be made available to businesses or other organizations owned or controlled by socially and economically disadvantaged individuals, including women and historically black colleges and universities, based on an assessment of the availability of qualified minority business enterprises (MBE) and women-owned businesses (WBE) in the relevant market. Accordingly, for any grant or cooperative agreement awarded in support of this agreement, the parties agree to ensure that a fair share objective will be made available to MBEs and WBEs.

C. Joint Planning and Evaluation Process

The parties believe it is important to clearly articulate how all the components of the performance partnership are interrelated and sequenced. We will carry out the following joint planning and evaluation process.

<u>Actions</u>	<u>Milestones</u>
1. Annual Environmental Conditions Report	July
2. Senior Management Planning Meeting	July/August
3. Agreement/Work plan Negotiations	August/September
4. Final Performance Partnership Agreement	October
5. State's Performance Report for PPG	November/December
6. Region's Evaluation of State's Annual Report and overall progress.	February

The Annual Performance Report for the PPG and the Annual Environmental Conditions Report are key components of the performance review. In addition, each media office has a documented post award management process, which they will continue to follow. These processes provide for periodic program meetings, conference calls, program and file reviews, as appropriate. Finally, the two Agencies' have also developed a Reporting Requirement Inventory, which documents the various reporting requirements associated with grants and programs due to statute, regulations and/or other policies and agreements. Illinois EPA will continue to fulfill these reporting requirements as outlined in the Inventory, unless a specific item is raised and/or renegotiated. All relevant information is taken into account as part of the joint evaluation process.

Another critical element in this joint evaluation process is the Senior Management Planning meeting. It is expected that national program guidance should be available well before this meeting, allowing for identification of any critical commitment concerns. In addition, one agenda item for these meetings will be a senior level discussion of performance highlights and areas of concern. These discussions will be documented via joint meeting notes.

Another agenda topic for the Senior Management Planning meeting will be joint priorities. Preparation for the meeting will include development of brief progress reports for existing joint priorities, with recommendations for renewal or not. To ensure new joint priorities get underway, the lead Region 5 Division Director and Bureau Chief for that joint priority will ensure that a check-in call occurs during the second quarter, with progress reported back to the senior managers and PPA leads for each Agency. On-going joint priorities will be addressed by the lead media programs as part of their normal interactions during the year.

II. JOINT ENVIRONMENTAL PRIORITIES / MUTUAL ENVIRONMENTAL INTERESTS

A. Joint Environmental Priorities

Region 5 and the Illinois EPA discussed the joint priority proposals and came to agreement on seven joint priorities for the FY05 PPA. There was agreement to discontinue four of the FY04 joint priorities where either the stated objective has been achieved or there had been continuing lack of effort. The four are Backyard Burn Barrels, Environmental Security, Municipal Strategy and Expansion of Regulatory Innovation. The BioWatch element of Environmental Security will be moved to the Homeland Security Mutual Interest Area.

The following joint environmental priorities are established for this Agreement:

1. Air Toxics Laboratory Proposal [continued]

An emerging national priority is to address toxic substances polluting the air in our cities. A key concern in Region 5 in supporting this program is the credibility of the laboratory analysis of ambient air quality samples taken of certain substances. The Michigan Department of Environmental Quality (MDEQ), Detroit, Michigan, conducted an inter-laboratory comparability experiment, in which collected samples were "split" and simultaneously sent to ERG (i.e., the national contract laboratory) and MDEQ for laboratory analysis. The laboratories reported results, which showed discrepancies between the samples for a wide range of air toxic pollutants examined.

In addition, a recent draft national air toxic monitoring study collected air toxics monitoring data over time. The data were inventoried and analyzed for methodological differences, accuracy, consistency, and comparability across state laboratories. Inconsistencies and uncertainties were found with the overall structure of the data due to errors primarily associated with human process control. Examples include: coding of duplicates and/or replicates; incorrect or missing sample dates; and miscommunications between laboratory and data management personnel causing miscalculation and repeated provision of the same data but labeled with different file names and sometime different file formats. The ARD proposes to undertake a number of steps to ensure quality of the air toxics data collected in the region.

Objectives:

- Allow for the comparison of air toxic pollutants levels in the region in FY05 by using consistent and scientifically sound monitoring protocols, analytical methods, laboratory procedures, and quality control and quality assurance measures.
- Establish a workgroup consisting of representatives from the ERG (national contract laboratory) and the regional, state, and local laboratories.
- Perform an inter-laboratory comparison of data and delineate differences between protocols employed by laboratories, which may result in poor reproducibility for split samples.
- Establish an air toxics laboratory protocol in Region 5, which is consistently implemented by all parties, and also allows reasonable comparison of air quality data collected at stations across the region, thus maximizing utility of data for regulatory decision-making.

- Establish an infrastructure for continued improvement of air toxic laboratory practices, such as regional comparability and consistency.

Commitments:

- Region 5 and Illinois EPA will provide appropriate staff for the air toxics laboratory inter-comparison workgroup in support of developing a consistent methodology that will be employed across the region.
- Region 5 will request the participation of other appropriate state, local, and tribal agencies' staff on the workgroup.

Timing:

- The workgroup charged with establishing a consistent laboratory protocol for air toxic samples on a region wide basis was established in April 2004.
- Meetings and discussions bringing all interested parties together were held in 2004 and early 2005.
- The workgroup is regularly sharing data, information, and findings.
- Initial recommendations to improve data comparability were drafted in October 2004.
- A final report containing proposed steps to improve data is planned for May 2005.
- Evaluation of the program will continue throughout the remainder of 2005.

2. Midwest Clean Diesel Corridor Initiative [new]

Diesel emissions are a major source of oxides of nitrogen, particulate matter and toxics, which impact public health contributing to respiratory and cardiovascular illness and premature deaths. High volume transportation corridors including diesel truck, bus, rail and port activity connect several Midwest cities. While we have national rules to require cleaner fuels and new cleaner engines, there is significant opportunity to reduce emissions from existing diesel engines.

This initiative will establish clean diesel corridors and implement focused emission reduction activities in collaboration with government, non-profit and private sector partners. Possible corridors include: I-90/94 (Detroit-Chicago; Chicago-Milwaukee-Minneapolis); I-80 (Cleveland-Northwest Indiana); and, I-75 (Cincinnati-Detroit). By leveraging funding and resources from various partners, we can pursue coordinated on-road and off-road diesel retrofits, truck stop electrification, anti-idling measures, locomotive auxiliary power units, marine port pilot projects, and ultra low sulfur diesel (ULSD) fueling stations along the identified corridors.

Objectives:

- Establish a workgroup consisting of representatives from the Illinois EPA, other Region 5 State/local air quality offices, non-profit and private sector partners.
- Establish a framework for the workgroup to facilitate decision-making and implementation of the initiative through consultation, strategic development of the initiative, and coordination of activities.
- Identify diesel corridors in Illinois to target emission reduction efforts as part of the larger Midwest Clean Diesel Corridor Initiative.
- Develop proposals through the workgroup and identify available funding through federal and state agencies, foundations, and business, industry.

Commitments:

- Region 5 and Illinois EPA will provide appropriate staff to support the Midwest Clean Diesel Corridor Initiative.
- Region 5 will request the participation of other appropriate state local agencies' staff on the workgroup.
- Illinois EPA will solicit the participation of public and private partners in Illinois to support the initiative.
- Region 5 will solicit the participation of appropriate federal agency counterparts to participate in the initiative.

Timing:

- Region 5 and Illinois EPA will jointly convene and chair a meeting by October 2004 with interested stakeholders to discuss the development of a core workgroup to carry forward this initiative.
- The core workgroup will develop a plan by February 2005 identifying the goals for the initiative and the approach for implementation including the division of responsibilities for implementing aspects of the initiative.
- A "Midwest Diesel Initiative" brochure and website will be developed by June 2005 that discusses the initiative, public health concerns with fine particulates, and what is being done to address the issues strategically throughout the region.
- By October 2005, the Region 5 and Illinois EPA will educate the public and private sector on the initiative, build partnerships with organizations, and pursue funding to support emission reduction technologies.
- Region 5, Illinois EPA, Department of Energy, and the Chicago Area Clean Cities Coalition will hold a joint idling management workshop in the Chicago area by October 2005.
- By October 2005 Region 5 and Illinois EPA will work with the City of Chicago in revising the City's anti-idling policy.
- Region 5 and Illinois EPA will work with the Metropolitan Mayors Caucus to identify and implement two diesel retrofit projects in the Chicago Metro area by October 2005.
- Region 5 and Illinois EPA will work with the Illinois Department of Transportation and the Illinois State Toll Highway Authority to further integrate diesel retrofit language in their air quality mitigation plan for the Dan Ryan reconstruction project and future construction projects by October 2005.
- In October 2005, Region 5, in conjunction with Illinois EPA, will develop an annual progress report on the Midwest Diesel Corridor Initiative outlining accomplishments, case studies, and diesel emission reductions.

3. Chicago Waterways [continued]

Increased recreational use of the Chicago Area Waterways System (CAWS) has heightened concern over the public's exposure to the waters therein. The Use Attainability Analysis (UAA) conducted by Illinois EPA documented increases in recreational uses throughout most CAWS reaches (the Chicago River, the North and South Branches of the Chicago River downstream of the junction of the North Shore Channel and the North Branch, the Chicago Sanitary & Ship Canal, the North Shore Channel, the Little Calumet River North Leg, the Calumet-Sag Channel, the Calumet River and Lake Calumet), especially in the last 10 years.

Commitments

Illinois EPA, with the assistance of the UAA contractor, is in the process of completing the assessment of the data collected during the Stakeholder Advisory Committee (SAC) meetings, public meetings and data collections efforts. The draft UAA report was delivered to Illinois EPA and discussed at a SAC meeting. A final report is expected in the spring of 2005. Issues that remain include: the need for a timeline for submittal of proposed regulations to the Illinois Pollution Control Board, the review and incorporation of the economic and engineering analyses being conducted by MWRDGC, and a discussion and resolution of the need to collect any other data to provide balance to data submitted by MWRDGC and Midwest Generation and other stakeholders.

CAWS UAA

Progress of the UAA to date suggests a level of recreational activity within several, if not all, reaches of the waterways that warrants human health protection through public education, a bacterial standard and bacteria source control. The data also suggests much of the waterway is challenged by low dissolved oxygen. MWRDGC has committed to conducting an engineering analysis to explore management options to address these issues. Illinois EPA will review MWRDGC's management options and, where appropriate, incorporate them into the UAA. U.S. EPA will assist Illinois EPA in reviewing MWRDGC and Midwest Generation reports and, if appropriate, provide resources for an independent third party review of any contentious parts of the analysis. Management option will be incorporated into the UAA upon receipt, review and approval.

- Waterway Sign - Illinois EPA commits to accomplishing advisory sign posting of CAWS by May 2005, prior to the next recreational season. Illinois EPA and U.S. EPA will work with MWRDGC and the City of Chicago Mayor's Office to ensure that the posting occurs. MWRDGC advisory sign posting is interdependent with the posting of their permit required CSO outfall signs (see section below on Combined Sewer Overflow (CSO) public notification plans).
- Disinfection of the Effluent from Chicago Area WWTPs - The three large MWRDGC water reclamation plants (Northside, Stickney and Calumet) do not disinfect their wastewaters since they discharge to Secondary Contact Waters portions of CAWS, which do not currently have bacterial water quality standards. It appears that the documented increase in recreational uses in CAWS warrants the imposition of bacteria water quality standards. The UAA process has developed proposed bacteria standards to protect existing uses. In March 2004, Illinois EPA requested MWRDGC to consider disinfecting their effluents in order to protect such increased recreational uses.

Disinfection is among a number of other UAA related waterway management options MWRDGC has committed to include in a detailed engineering analysis they expect they will complete by January 2006.

Dissolved Oxygen

The analysis will also look at methods of increasing waterway-dissolved oxygen, which falls below existing and proposed standards, especially after storm events. Water quality modeling is included in the analysis.

Combined Sewer Overflow (CSO) Public Notification Plans

The Illinois EPA and U.S. EPA are jointly reviewing the permit required Combined Sewer Overflow (CSO) public notification plans for both MWRDGC and the City of Chicago. Following the completion of that review, Illinois EPA & U.S. EPA will submit comments to MWRDGC. MWRDGC will then revise and resubmit their CSO public notification plan, including CSO outfall sign language. Illinois EPA will review the revised MWRDGC CSO public notification plan details, and if the permittee=s (MWRDGC) proposed plan is acceptable to Illinois EPA, Illinois EPA will send an approval letter to MWRDGC. Illinois EPA=s approval letter, per MWRDGC permit language, triggers a three-month timeframe within which MWRDGC must implement the plan, including posting of signs.

Illinois EPA and U.S. EPA will cooperatively pursue timely completion and implementation of a CSO public notification plan by the City of Chicago similar to and compatible with the plan being developed and implemented by the District. Direct communication among the City, Agency and region will be initiated during November 2004 with the intent that public notification practices be functional. Illinois EPA and U.S. EPA will consider all available options to achieve this objective including administrative and, if appropriate, enforcement approaches.

4. Impaired Waters [new]

Based on the 2002 State 303(d) lists, there are about 11,300 impairments in the six Region 5 states. All states provided 15-year schedules to complete TMDLs for these impairments, which result in addressing 753 impairments per year through 2013. In the region, we currently have approved TMDLs addressing 761 impairments. In Illinois, 2,863 impairments were identified on the 1998 impaired list and 3,578 impairments were identified on the 2002 List. Currently, Illinois EPA has TMDLs completed for 126 impairments. Although Illinois EPA has made great strides in FY 2004 in improving the production of TMDLs, there are still many more TMDLs that need to be developed. Region 5 is hopeful that the watershed approach Illinois EPA is taking to develop TMDLs, submitting multiple segments and pollutants in one TMDL package, will continue to increase TMDL production. To help Illinois EPA maintain the improvement of its TMDL production, Region 5 will continue to improve communication between Illinois EPA and Region 5 staff and, with assistance from America's Clean Water Foundation, identify areas to work on that will help us to achieve our goals. Region 5 staff will also work closely with Illinois EPA to assist the development of an Integrated Report, which accurately captures the impairment status of all waters of the state.

Accountability Pilot Project

The Accountability Framework is a mechanism to ensure that watershed management actions are given equal weight with TMDL development commitments as negotiated between the states and Region 5. It allows the states and Region 5 to account for overall water quality program commitments and identify how overall performance from these commitments is assessed.

Illinois EPA has submitted 13 projects in three watersheds for input into the Accountability Framework database. Identifying participation in the Accountability Pilot Project as a joint

priority will ensure that Illinois EPA and Region 5 continue to track and report progress on these watershed implementation projects. The outcome from this effort, and our joint efforts to enhance our TMDL production, will capture the number of impairments addressed by these activities.

Commitments

By September 1, 2005, Illinois EPA will identify and submit to Region 5 at least five additional accountability projects including information on all data fields for input into the accountability framework database. By September 30, 2005, Region 5 will resolve any issues with the Illinois EPA submittal and update the database to assure full credit is given for impairments addressed by these implementation projects.

By April 1, 2005, Illinois EPA will provide a draft Integrated Report methodology to Region 5 for review. By May 1, 2005, Region 5 will provide input on the methodology to Illinois EPA and continue to work with Illinois EPA in development of a draft Integrated Report.

Region 5 and Illinois EPA will jointly review draft watershed TMDLs that will be developed using the load duration curve, currently expected to be submitted to Region 5 by September 2005. The approach taken in development of these TMDLs is expected to provide a model for Illinois EPA to utilize to generate pathogen TMDLs in a timely and cost effective manner.

Region 5 will assist Illinois EPA in the review of draft contractor developed TMDLs in an effort to speed up submission of final, approvable, TMDLs to meet Illinois EPA's commitment for FFY05.

By September 1, 2005, Illinois EPA will submit TMDLs addressing at least 44 impairments to Region 5 for approval. Illinois EPA and Region 5 will work together during FFY05 to ensure that these TMDLs are submitted in a timely manner and are quality products. This will be facilitated by Illinois EPA's submission of draft TMDLs to Region 5 for review in advance of public notice and comment.

5. Water Permitting [new] **NPDES Permit Backlog**

The backlog of issuance of expired permits was raised as a National material weakness in 1998. Illinois EPA continues to make progress in reducing its backlog and work towards meeting the national goal of no more than 10 percent expired. Illinois EPA has committed to reducing the backlog of major permits to 10 percent by the end of 2004, and to 10 percent for minors by the end of 2005. In addition, the FY 2005 National Water Program Guidance contains a measure, which requires the state to issue at least 95 percent of its high priority permits.

Region 5 estimates that meeting the backlog reduction goal for majors requires issuance of about 22 permits by the end of 2004, as well as addressing an additional number to account for any newly expiring permits within that timeframe. To meet these backlog goals and the new permit measure for high priority permits requires a concerted Region 5 and Illinois EPA effort that is reflected in the Illinois EPA/U.S. EPA workplan.

CSO Permits Consistent with the CSO Policy

U.S. EPA has established as a national goal that by 2008, 75 percent of all CSO communities will have enforceable schedules to implement approved long term control plans (LTCPs).

As an interim goal, the FY 2005 National Water Program Guidance contains a commitment that 100 percent of the CSO permits in the Great Lakes will be consistent with the CSO policy. In discussions with state water directors, it was agreed that a goal for 2005 should be to ensure that all CSO permits (not just those in the Great Lakes Basin) are consistent with the CSO policy. Region 5 believes that to be "consistent with the CSO Policy" permits should require compliance with the "nine minimum controls" (NMC) and development of a LTCP.

In Illinois, where communities have been required to comply with state CSO control requirements we have been discussing whether those controls would be equivalent to a LTCP. We agree that:

- Where a community's effort has reduced frequency to six or fewer overflows per year, those efforts should be considered equivalent to a LTCP (recognizing that post construction monitoring may indicate the need for additional controls) and a water quality assessment should be performed.
- Where a community's efforts have not reduced frequency to six or fewer overflows per year, a new LTCP (or CSO "control plan") should be required to be developed.

Where CSO permits require the NMC and one of the following actions occurs: (1) the permittee has achieved six or fewer overflows per year; (2) the permit requires compliance with an approved LTCP (e.g. TARP); or (3) the permit requires development of a LTCP, then these permits would be considered to be consistent with the CSO policy.

Illinois EPA has developed permit language requiring additional CSO control planning where necessary, and has issued a number of permits with these conditions. Based on current information, there are approximately 25 additional Illinois communities whose permits would need to include such conditions. Full implementation of Illinois EPA's backlog reduction strategy is expected to address approximately nine of these by the end of 2005. An additional 16 or more of these will not come up for re-issuance in time to meet the FY 2005 CSO measure. Due to this timing issue, Region 5 and Illinois EPA will jointly consider approaches to requiring CSO planning for these 16 communities. (Refer to work plan for CSO list.)

In keeping with the Illinois backlog reduction commitment, Illinois EPA will prioritize those permits for CSO communities for re-issuance in 2005, and U.S. EPA will provide technical support (in-house assistance and contractor assistance) to aid in achieving the backlog goal. (Refer to work plan for CSO list.)

U.S. EPA and Illinois EPA will work together to develop a strategy by December 2004 for initiating CSO long term control planning as necessary for those permits that do not currently require this activity, and where these will not be issued as part of the backlog reduction effort in 2005.

In addition, U.S. EPA and Illinois EPA will work cooperatively to develop a strategy and milestones by March 2005 to assure that by 2008 at least 75 percent of Illinois CSO communities have permits (or orders) with schedules to implement approved LTCPs.

6. Environmental Equity [continued]

Strategy

EPA Region 5 and Illinois EPA will work together to identify at least one geographic area in which to evaluate disproportionate impacts. In doing so, we will develop and apply a process for setting priorities in responding to local areas of concern. This process will have the following elements:

Screening Analysis

U.S. EPA, in consultation with Illinois EPA, will review indicators of population vulnerability and environmental impact across Illinois, based on the conceptual framework and sources of information identified in EPA's May 18, 2004 Concept Paper "Environmental Justice-Smart Enforcement Targeting Strategy" (the "EJ-SETS Concept Paper"). This Concept Paper outlines a targeting methodology based on health, compliance, environmental, and demographic data. While developed in the enforcement context, the methodology is more generally applicable as a conceptual framework to identify geographic areas with potential environmental issues based on known stressors and existing population vulnerabilities. The EJ-SETS Concept Paper identifies relevant data and addresses questions related to the appropriate use of this data. Using this information, we can set appropriate screening criteria, and apply these criteria to identify geographic areas of concern within Illinois.

Refined Analysis

U.S. EPA and Illinois EPA will conduct a more closely refined analysis in the regional and/or neighborhood areas focusing on specific sources and our source categories of air toxics, and select an area for the Impact Analysis phase.

Impact Analysis

The priority-setting process described will focus on a small number of potential sources, and/or a limited number of air pollutants on the neighborhood scale. This ensures that the ultimate scope of an assessment will focus efforts on the sources and/or pollutants that are primarily responsible for disproportionate impacts in a given local area. Illinois EPA, in consultation with Region 5, will quantify neighborhood risk and work with Region 5 to get mitigation. These activities will progressively build the state and Region 5 capacity to carry out more complex risk assessments and achieve risk reductions.

For FY05, Illinois EPA and Region 5 will work to complete the screening analysis portion of this strategy.

7. Waukegan Harbor [continued]

Waukegan Harbor is one of 31 Areas of Concern (AOCs) in the United States. The AOC includes the harbor, industrial, commercial, municipal, and open and vacant lands. Of the 14

beneficial use impairments recognized by the International Joint Commission (IJC), six have been identified for the Waukegan Harbor AOC, including: (1) restrictions on fish and wildlife consumption; (2) beach closings; (3) degradation of phytoplankton and zooplankton populations; (4) loss of fish and wildlife habitat; (5) degradation of benthos; and (6) restrictions on dredging activities. A Stage 3 RAP for the Waukegan Harbor AOC was completed and released in July of 1999. Environmental conditions in the AOC have improved due to remediation activities and dredging. Fish from Waukegan Harbor are monitored on a yearly basis to monitor progress.

During the past two years, numerous events have helped move Waukegan Harbor towards the formulation of a final remedy. Under the Great Lakes Strategy 2002, the U.S. Policy Committee identified a goal of delisting three AOCs by 2005, with a cumulative total of ten by 2010.

Waukegan Harbor represents a clear opportunity for delisting, provided that sediment remediation in the harbor takes place in a timely manner. On April 22, 2003, U.S. EPA announced the designation of the Waukegan Cleanup and Revitalization project as an Environmental Justice Demonstration Project. Selection for this project officially designates Waukegan as an environmental justice community. An economic study conducted by the Northeast Midwest Institute, found that remediation of the AOC could provide significant economic benefits to the city of Waukegan and Lake County. In October 2003, the Great Lakes Governors announced priorities for the Great Lakes including a similar set of priorities found in the 2002 Great Lakes Strategy and the Lake Michigan Lakewide Management Plan (LaMP). On May 18, 2004, the President signed an Executive Order setting up a high level Federal Task Force to coordinate the agencies work in the Great Lakes basin.

Restoration of Beneficial Uses

1. Contaminated Sediments

Contaminated sediments are a major impediment to delisting Waukegan Harbor as a Great Lakes AOC and may directly impact the following beneficial use impairments: restrictions on dredging, restrictions on fish and wildlife consumption, and degradation of benthos. However, there is an immediate opportunity for U.S. EPA, Illinois EPA, the U.S. Army Corps of Engineers, and local stakeholders to cooperate on a sediment remediation project in Waukegan Harbor. The Great Lakes Legacy Act and/or the Water Resources Development Act provide the potential opportunity to bring significant amount of federal funds to assist in remediation of Waukegan Harbor. However, to make use of these funding sources in a timely manner (Great Lakes Legacy Act funding is authorize only through FY2008) will require tight coordination between the state, federal, and local agencies on technical, policy, permitting, and funding issues. Some of these issues include:

Schedule: In order to maintain a schedule that will allow for remedial implementation in FY2006 tight coordination between the agencies is required. An approximate schedule for additional work that is required is provided below. Any delays in making policy, technical, and/or permitting decisions, or the lack of funding, could lead to a missed opportunity for utilizing the federal funding sources and significant delays in the schedule:

- Fall/Winter 2004: Design and Implement Sampling Plan for Collecting all required Pre-design data required to evaluate remedial alternatives.
- Winter/Spring 2005: Complete evaluation of remedial alternatives and select remedy.
- Summer/Fall 2005: Complete design work and obtain permits.

- Fall/Winter 2005: Initiate implementation of remedy.

Funding: Sediment remediation under the Great Lakes Legacy Act will require a non-federal cost share of 35 percent. The City of Waukegan has expressed some interest in providing a portion of this funding, but given the estimated \$15M-\$20M price tag of sediment remediation additional funds may be required. U.S. EPA's Great Lakes National Program Office (GLNPO) has committed \$135,000 in funding to support additional sampling and analysis in the harbor, and an evaluation of disposal and treatment options for the sediments. An additional \$500,000 may be needed from GLNPO and the state to complete evaluation and design work at the site.

Policy/Permitting: Several policy and permitting decisions will be required at the state and local levels prior to remedy implementation. Any delays in making these decisions may substantially delay the process. The federal, state, and local agencies need close coordination in order to avoid delays.

Technical Review: Many documents will be produced prior to remedy implementation. These documents will require review by a number of state and federal agencies. Staff level personnel at the cooperating agencies have agreed to expedite technical reviews of work plans and reports. Management involvement may be necessary to ensure proper prioritization of workload.

2. Addressing Other Beneficial Use Impairments

There is a need to address the BUIs that are not related to contaminated sediments, such as beach closings, loss of fish and wildlife habitat, degradation of phytoplankton and zooplankton populations. Clear targets and monitoring data are both necessary in order to get to the delisting stage. GLNPO is facilitating pilots and workshops to share their results on setting targets and moving through the delisting process. Watershed work planned for the Waukegan River will help define status and need for further action.

B. Mutual Environmental Interests

1. Lake Michigan

The State of Illinois, under the leadership of Governor Blagojevich, and U.S. EPA, through Administrator Levitt, are cooperative conveners in the Great Lakes Regional Collaboration, a multi-jurisdictional partnership to restore and protect the ecological integrity of the Great Lakes. This collaborative effort is an outgrowth of Executive Order 13340 signed by President George W. Bush on May 18, 2004. The framework and schedule for the Collaboration calls for the development of a strategic plan during the calendar years 2004 and 2005 through a network of eight strategy teams with membership from a broad spectrum of constituencies and stakeholders. Building on the myriad of program activities and historical knowledge developed through prior Great Lakes efforts such as U.S. EPA's Great Lakes National Program Office, the bi-national Great Lakes Water Quality Agreement with Canada, Region 5 and Illinois EPA (and other collaborators) will actively participate in execution of the Framework for Great Lakes Regional Collaboration, yielding the successful development and implementation of a national strategic plan for the restoration and long term preservation of the Great Lakes.

2. Mercury Reduction

Both Region 5 and Illinois EPA place a high priority on reducing mercury in the environment,

limiting the mercury levels in fish within Illinois, and contributing to the broader efforts within the Great Lakes. U.S. EPA is taking the lead on the development of maximum available control technology (MACT) standards for the major mercury-emitting sectors, having already developed standards for medical and municipal waste incinerators; chlor-alkali plants; industrial boilers; iron and steel foundries; and proposed regulations to reduce mercury emissions from electric utilities. Illinois EPA has the lead on implementation of MACT standards; case-by-case ACT for electric utilities (in advance of a final standard); implementation of mercury collection programs; implementation of voluntary or mandatory programs to inform the public of the dangers of mercury; reducing the use of mercury and improving the management of mercury-containing wastes.

Illinois EPA's Bureau of Air will continue to participate, as resources allow, in the development of various National Emission Standards for Hazardous Air Pollutants (NESHAPs) and air toxic inventories. Furthermore, Illinois EPA will continue its participation with Region 5 in a series of regional toxics projects, including the Urban Air Toxics Strategy (UATIS), the Great Lakes Initiative, the National Air Toxics Assessment (NATA), and the Great Lakes Regional Collaboration.

Lake Michigan - Illinois maintains a dialogue with other Lake Michigan states regarding mercury pollution studies and sources of mercury entering the environment. New power plant permits contain a mercury component, addressing mercury content of the coal fuel as well as stack emissions.

Universal Waste Rule Authorization (and all other RCRA authorization) is still being held up pending resolution of statutory issues between the State of Illinois and U.S. EPA (OECA). In the meantime, Illinois has adopted the federal rule adding fluorescent lamps to the Universal Waste Rule.

Residential Mercury Collections - Illinois EPA will continue to collect elemental and mercury containing items at its household hazardous and green school waste one-day collections and at the three long-term collection facilities as long as funding continues.

Information Exchange - In addition, U.S. EPA and Illinois EPA have participated actively in the U.S. EPA-Quicksilver group effort to improve mercury efforts nationally, including through the development of a national mercury action plan with state input, and the development of coordinated federal-state policies related to the storage or retirement of surplus mercury and the development of TMDLs for mercury. Region 5 will continue to facilitate information sharing and coordination on mercury reduction opportunities through the Great Lakes Bi-National Toxics Strategy Mercury Workgroup and through regular calls among state and federal government staff that work on mercury issues in the Great Lakes. In FY05, the efforts of these regional groups will continue to focus on information sharing about policy options and technical tools related to limiting mercury releases from hospitals, dental offices, schools and steel production, and to the development of mercury pollutant minimization plans for sewage treatment plants. Illinois EPA will participate actively in these information-sharing activities, and will continue and expand its efforts to promote mercury reduction.

3. Homeland security

This continues to be a major national issue since September 11, 2001. September 11 changed the way we, as a nation, must prepare for future acts of terrorism within our borders. One facet of this issue deals with providing for environmental security with respect to potential terrorist acts.

- a. Illinois Terrorism Task Force - The Illinois Terrorism Task Force was created by executive order in May 2000. This order also defined the composition of the Task Force to include state agencies with response capabilities or resources that support training and response, including representatives from state/local fire service, hazardous materials response, emergency medical services, law enforcement, public works, public health, National Guard, and emergency management. Representatives from the FBI and FEMA are also included.

The Task Force created committees on Training, Bio-Terrorism, Crisis Management, Transportation, Public Information, Volunteer Coordination, and Communications. The committees included representatives from federal, state, regional and local governmental entities, as well as from public agencies, advocacy associations and private entities. Illinois EPA participates on three of these committees. The Task Force has accomplished the following:

- Mobile Response Teams were created to assist local first responders and to coordinate the state's response.
- A critical assessment of local health departments and hospitals was conducted for bioterrorism preparedness.
- A uniform training philosophy and curriculum for First Responder Training was developed. Terrorism and incident command system modules were incorporated into required law enforcement, fire service, and emergency management training.
- State and local emergency managers were trained in, and then tested pursuant to a statewide assessment of terrorism vulnerability and preparedness. This was used as the basis for a statewide three-year strategy to address deficiencies.
- A statewide mutual aid system for weapons of mass destruction (WMD) and other catastrophic disasters was put in place. This includes fire equipment, emergency medical service apparatus, and search and rescue capability.
- Equipment protocols and standardization guidelines are being developed with respect to WMD-related procurements to enhance the efficiency of any response involving multiple responding agencies.
- WMD exercise guidelines were put in place to help focus local efforts on specific scenarios, scope of training, development and evaluation, and funding requirements.

In addition, Illinois EPA provides technical expertise on responses involving chemicals to state and local response teams. Illinois EPA has participated in field-training exercises addressing potential terrorism scenarios with local response groups, as well as the State Weapons of Mass Destruction (SWMD) teams. Supporting and enhancing such efforts is a significant ongoing commitment for Illinois EPA.

Illinois EPA has played a significant role in many of the Task Force accomplishments. The most notable achievements were helping to create and equip the state response teams and in recommending standardized equipment and protocols for all response teams. Illinois EPA has completed counter-terrorism training for nine emergency responders that are located in three response offices across the state. The nine emergency responders and one member of management have completed additional training to the HAZMAT Technician Level B certification, which included CBRN response operations. Illinois EPA's current capabilities to respond in the CBRN realm include:

- CBRN agent identification;
- Sampling and multi-media monitoring for agents; and
- Assistance with evidence collection, and decontamination.

- b. Region 5 Counter-Terrorism Preparedness - During a terrorism incident, U.S. EPA is authorized by Presidential Decision Directive #39 and Homeland Security Presidential Directive #5 to provide hazardous materials response support to the FBI and DHS-FEMA. Region 5 has ongoing counter-terrorism training for 36 On-Scene Coordinators (OSCs) that are located in six response offices across Region 5. Most of these personnel, including Emergency Response Branch management, have Secret or Top Secret level security clearances. The counter-terrorism teams have training in Level A, B, and C response operations involving chemical, biological, and radiological materials. The region's current capabilities to respond in the CBRN realm include: CBRN agent identification, sampling and multi-media monitoring for agents, assistance with evidence collection, decontamination and other crisis management and/or consequence management activities. Region 5 has conducted tabletop and full-scale field exercises addressing potential terrorism scenarios. During the "TOPOFF 2 WMD" exercise in 2003, U.S. EPA coordinated response efforts closely with Illinois EPA, Illinois State Police, Illinois Emergency Management, and other state agencies. U.S. EPA plans to continue to coordinate training and preparedness exercises with state emergency management and environmental agencies during the next several years.

Looking towards FY06 -

Detection and Analytical Capability

The U.S. EPA will conduct an evaluation of the mutual capability and capacity for our field deployable equipment and fixed laboratories to handle analyses for chemical, biological, and radiological agents. The objective is to develop an analytical pact for mutual support during crisis conditions. U.S. EPA's Emergency Response Branch has opened a new office at the State of Illinois facility in Des Plaines. The presence of U.S. EPA On-Scene Coordinators and field response equipment located at this office has greatly improved communications, technical information exchange, and response capabilities between U.S. EPA and Illinois EPA personnel. We are looking forward to continuing this beneficial cooperation.

4. Chicago-area Shared Priorities

Region 5 initiated the Great Cities Partnership in FY04. The Great Cities Partnership is a

natural evolution of the region's work in geographical locations, which was begun in 1995. This partnership addresses multimedia environmental problems and focuses on innovative methods to solving problems that impact significant populations and resources. The Great Cities Partnership identifies six "Great Cities" with which partnership activities and projects will be pursued. The six "Great Cities" are Chicago, Cleveland, Detroit, Indianapolis, Milwaukee, and Minneapolis. The Great Cities Partnership promotes cooperation with city officials and states to leverage resources and incentives for addressing the high priority problems identified in each city. It targets both grant funds and program resources for this work to produce tangible environmental results. The Great Cities program is comprised of two elements, a grant program, and Urban Initiative activities in each of our Great Cities.

In FY04, the Great Cities program awarded a grant for the purchase and installation of catalytic equipment for diesel emissions reduction for approximately 1/4 of the City of Chicago's garbage fleet. Illinois EPA and Chicago projects to install similar equipment on school buses and off-road vehicles in the Chicago area complement this project. The diesel retrofit project is a good example of the Great Cities program leveraging resources to address an important environmental need, in this case air quality. It is hoped that the very visible nature of the garbage trucks, and the signs announcing their installed equipment, will inspire and motivate others in the Chicago area to creatively develop programs to reduce diesel emissions.

Urban Initiative activities in Chicago include work with the City of Chicago and others to promote green building work practices, pollution prevention, and creative engineering solutions that not only address the minimization of environmental releases at the end-of-pipe, but holistic solutions that create opportunities for water conservation, urban heat island reduction, and enhancement of biodiversity. Region 5 continues to participate in partnerships between community residents and others to address long-standing environmental problems that can only be solved through information and resource sharing. A very good example of this work is the role that Region 5 has played in initiating the Ford Good Neighbor Dialogue, a partnership among Region 5, the Ford Motor Company, the Illinois EPA, the City of Chicago; and various neighborhood organizations and residents that encourages information exchange between the company and Dialogue partners.

Illinois EPA and Region 5 commit to hold discussion sessions during the second quarter of FY 05 to identify possible new joint activities for the Greater Chicago area. The leads for this discussion will be Ron Burke (Illinois EPA) and Mardi Klevs (Region 5). Follow up and action will be by the implementing program.

5. Underground Injection Control Well Program - Class V Wells

On December 7, 1999, the U.S. EPA promulgated a "new" Class V well Rule. The rule prioritized, based upon environmental risk, the different categories of Class V wells. The top priority was given to motor vehicle wells and large capacity cesspools. The inventory for these wells was to have been collected prior to the "new" rule promulgation. In all states, (once the rules were adopted), no new large capacity cesspools were allowed to be constructed, and all existing large capacity cesspools are to be closed by April 5, 2005.

The implementing rules were adopted in Illinois on December 7, 2000. In Illinois, source water assessments, were to identify, as potential sources of contamination, any motor vehicle waste disposal wells and large capacity cesspools, within source water areas. These assessments were to be completed by January 1, 2004.

By January 1, 2007, all identified motor vehicle wells are to be either closed or permitted, (very few will be permitted, but it is an option.) The development and implementation of the Underground Injection Control Class V Well program has suffered from a severe lack of resources, and because of that, Illinois' Class V program, has made progress as resources have allowed, especially in relation to identification of inventory and subsequent closure of those wells.

To assist the state during this time of resource constraints and work toward our Agency goal, U.S. EPA will conduct inspections and provide data related to gas stations, in the area of concern, as a partner with Illinois EPA to expedite the inventory and closure of Class V motor vehicle wells. Region 5 has designated a senior manager to work closely with Illinois EPA to further the development and implementation of the Illinois Class V program. The water division will work closely with the Region 5 UST and source water protection programs, and with the state's UIC, UST and source water programs to develop an inventory of Class V motor vehicle wells and to develop a voluntary incentives program to facilitate closure. U.S. EPA expects to identify approximately 150 motor vehicle wells in Illinois, and for those that are identified, to close 90 percent of them by January 1, 2007. Region 5 will be contacting other regions and states that have had success in identifying and closing motor vehicle waste disposal wells, and will utilize this information to develop a strategy and a workplan, for state approval, to accomplish this goal. Region 5 may provide additional resources to this project and will try to effectively leverage resources from other areas.

III. MEDIA PROGRAMS & OUTPUTS

A. Bureau of Air

1. **Program Description** – The Bureau of Air (BOA or Bureau) is organized, functionally, around five priority program areas:

- a. **Ozone** - As of October 31, 2001, the Chicago severe ozone nonattainment area had four years of monitored attainment of the 1-hour ozone standard. Although Illinois EPA expected to submit all of the materials necessary to formally petition for redesignation to attainment in late Summer 2002, however, the area again measured nonattainment. Over the June 21- 24, 2002 time period, a non-typical combination of weather conditions (extreme heat, high solar intensity, low wind speeds, and a pronounced Lake Breeze effect) and poor air quality just upwind of the area and that ultimately moved into the Chicago nonattainment area resulted in a number of exceedances of the 1-hour ozone standard. The monitoring station at Chiwaukee, Wisconsin (included in the area's monitoring sites as a downwind site) continues to have four exceedances over a three-year period (2002, 2003, 2004). The design value of the area in 1991 was 190 ppb, however, if the design value were set based on the current air monitoring data, the design value would be 134 parts per billion (ppb), which is in excess of the standard of 125 ppb. Thus, while the area is again nonattainment, it has experienced significant improvement in 1-hour ozone air quality.

In May 2003, the Metro East area was redesignated to attainment of the 1-hour standard based on three years of air monitoring data (2000, 2001 and 2002), and continues to meet the 1-hour standard through the 2004 ozone season. There were no exceedances of the 1-hour standard during the 2004 ozone season; however, weather conditions were generally not conducive for ozone formation.

Specifically, the BOA is undertaking the following activities with regard to ozone:

- Illinois has completed all of its required Phase I submittals pertaining to the NO_x transport SIP Call, and U.S. EPA has approved these rulemakings. On April 21, 2004, U.S. EPA published Phase II of the NO_x SIP Call, requiring Illinois to establish rules setting the control levels for stationary internal combustion (IC) engines. The Illinois EPA has initiated the development of draft rules and will soon commence the necessary outreach and rulemaking processes to meet this requirement.
- In its December 2001 attainment demonstration submittal to U.S. EPA, Illinois committed to submit a "Mid-Course Review" to assess whether the state is "on track" toward attaining the 1-hour ozone standard by 2007. Even though the 1-hour standard will be replaced by the 8-hour standard by June 15, 2005, the Illinois EPA will prepare and submit the Mid-Course Review as required. The Mid-Course

Review will examine trends in air quality in the Lake Michigan region to see if air quality improvements are consistent with emission reductions required by Illinois' attainment plan.

- In addition to our efforts to address 1-hour ozone nonattainment, we are tracking U.S. EPA's actions regarding 8-hour ozone implementation policy. The ozone program includes all activities relative to ozone, from monitoring to rulemaking to participation in sub regional assessments of ozone to operation of the enhanced vehicle emissions testing program to voluntary measures through the Partners for Clean Air program and the Clean Air Counts campaigns.
- The Bureau has submitted and U.S. EPA has adopted, nonattainment designations for the new 8-hour ozone standard. The designations are essentially the same as the Metro-East and Chicago 1-hour ozone nonattainment areas, although Jersey County is now included in the Metro-East 8-hour nonattainment area. The Bureau has also submitted to Region 5 its proposed nonattainment designations for the PM2.5 standards. Illinois EPA proposed that the same areas of the state (excluding Jersey County) designated as nonattainment for the 8-hour ozone standard be designated as nonattainment for PM2.5. U.S. EPA is expected to finalize these designations by December 2004.
- The Bureau has prepared and submitted the 2002 base year ozone inventories for the Chicago and Metro-East nonattainment areas, and for all attainment areas as well. The 2002 base year inventories are the basis for future rate-of-progress plans, and ozone modeling analyses.
- The Partners for Clean Air (PFCA) is a voluntary organization of businesses, local governments and other entities in the Chicago area that take certain actions on Air Pollution Action Days (days when meteorologists predict that air quality may reach unhealthy levels). Beginning in 2004, Air Pollution Action Days include ozone and particulate matter (PM). The program will be active year-round in educating and informing the public on ozone and PM. BOA forecasts Air Pollution Action Days based upon weather information and notifies the Partners, who along with their employees then take one or more actions to help reduce emissions of volatile organic material (VOM) and PM. Such actions include staggered work hours to reduce rush hour traffic, telecommuting, and suspension of landscaping activities that involve use of small engines such as lawnmowers.

In 2004, the number of Corporate Partners was over 350, from only 15 at the beginning of the program in 1995. Federal funds have been received from the Congestion Mitigation Air Quality program to support our continued efforts of public education and outreach.

Significant public education and outreach efforts include:

1. Paid radio advertisements throughout the summer featuring Breathe Easy Man.

2. Dedicated website that was updated in 2004, for up-to-date information about air quality, cleantheair.org. This website receives approximately 300,000 hits each year.
3. Hiring an actor in costume to portray Breathe Easy Man at approximately 20 festivals and events, and news shows throughout the Chicago-land area, carrying the clean air message especially to children.
4. Providing giveaways to promote clean air featuring Breathe Easy Man, including temporary tattoos, coloring books, bookmarks, posters and other educational material.
5. Blast fax and e-mail services to notify the media, PFCA and interested citizens of Air Pollution Action Day declaration.

Illinois EPA's public education efforts have also increased public awareness of actions that individuals can take to reduce ozone formation on Air Pollution Action Days. The Illinois EPA will continue to co-sponsor the Green Pays on Green Days educational program with the PCFA organization in FY05 as resources allow.

b. Title V Program Implementation –

[**Note:** This program is not part of the Illinois EPA work plan for grant purposes, however, this program is a priority for both the Illinois EPA and U.S. EPA and a considerable amount of resources have been committed to administering this vital program.]

This element of the Clean Air program includes the significant permitting activities required by the Clean Air Act. The primary focus in FY04 was to continue to issue all initial or first generation CAAPP permits. Illinois EPA came close to achieving that commitment, issuing all but the most controversial permits (about 22) where notice, hearing and opportunity to comment were provided, but public objection continues. Illinois EPA staff is attempting to address the points of concern and hopes to issue the remaining permits late in 2004

As stated earlier, Illinois EPA formally committed to issue all initial CAAPP permits by December 1, 2003, and met all interim milestones. We are moving to issue the remaining 22 initial permits by mid June 2005. Illinois EPA continues to ensure that issuance of CAAPP permits receives high priority.

We also continue to participate in and track the development by U.S. EPA of revisions to the New Source Review Program, amendments to Part 70, and other related actions. These actions will be fully evaluated prior to seeking amendments to the state program.

- c. Air Toxics –As of February 2004, U.S. EPA had promulgated all of the remaining MACT standards with two exceptions, Hazardous Waste Combustors and Electrical Utilities. Illinois continues to be an active participant in the implementation of MACT

standards under Section 112 of the Clean Air Act. Furthermore, Illinois EPA has been involved in the Section 112(f) residual risk issues for those facilities subject to MACT. Illinois EPA participates in the Region 5/State Risk Assessment Workgroups that conducts quarterly conference calls.

Illinois has participated in the development of the National Air Toxics Assessment (NATA) air toxics inventory updates to keep the NATA prospective application current. Illinois EPA was involved in the peer review of the 1999 NATA inventory.

Illinois established a national air toxics trend site at Northbrook on January 1, 2003, and air monitoring for selected air toxics continued throughout the calendar year. The associated data was reported to U.S. EPA's AIRS database.

In FY05, we will continue the effort to initiate the use of a computer enterprise system (relational databases) called "ACES." This will, in the short term, redirect some traditional compliance efforts and resources, but should, in the long term, significantly improve compliance and compliance tracking, and reporting capabilities. Initial implementation of the ACES system is expected to be fully operational in FY05.

- d. Compliance - Activities traditionally associated separately with field inspections and enforcement all come under the larger umbrella of compliance. The Bureau will proceed to update and implement the compliance workplan between it and Region 5, addressing these activities, including any special projects, routine inspections, report reviews, emissions testing and monitoring reviews, and other compliance activities. The Bureau will also participate in specific state and federal initiatives, including implementation of MACT standards as they are promulgated.

The Enforcement Response Plan (ERP) and the Compliance Memorandum of Agreement were both signed by Region 5 during FY00 and are followed. Illinois continues the implementation of the High Priority Violation policy established in FY00. Effective communications are being maintained between Illinois EPA and Region 5 on an ongoing basis through meetings and regularly scheduled conference calls.

In FY05, we will continue to include efforts to fully initiate the use of a computer enterprise system (relational databases) called "ACES." This will, in the short term, redirect some traditional compliance efforts and resources, but should, in the long term, significantly improve compliance and compliance tracking, and reporting capabilities.

- e. Base Programs and National/Regional Priorities - Although the four program areas listed above are very focused priorities, the base programs must continue to function so as to maintain the progress we have achieved thus far both in the area of ozone reductions and with regard to other pollutants, such as sulfur dioxide (SO₂) and particulate matter (PM). Such base programs include air monitoring, state permitting and data management,

among others. Although many of the activities implementing Illinois EPA's pollution prevention and small business programs are carried out by Field Operations Section inspectors and Permit Section analysts, coordination of these programs within the Bureau of Air is included in Base Programs. At the same time, there are key national and regional initiatives that should be included in our priorities, such as deployment of speciation monitoring network to assess fine particulate matter (PM_{2.5}) and regional haze.

Quality Management Plan –

- The Bureau plans to conduct a review of our Quality Management Plan, revise as necessary, and obtain Region 5 approval in FY05. In order to accomplish this task in an efficient and effective manner, we will be assessing the results and recommendations of the Management System Review that was conducted by a Region 5 quality review committee in the fall of 2003. The appropriate findings will be incorporated into our revised QMP.
- The Bureau will complete the evaluation of the Records Management System and will implement a comprehensive document management plan. The document management plan will begin to be implemented in FY05.
- The Bureau will review and revise standard operating procedures as necessary, as documented in our QMP.

2. **Program Linkage to Environmental Goal/Objectives** - Trends in air quality gauge the success of the air pollution control program. These trends are determined from a combination of air quality measurements and emission estimates. The planned program objectives and program activities of the air program contained in this agreement will contribute in a variety of ways to the improvements reflected in those trends. For example, the declining trend in air quality exceedances and the steadily improving air quality conditions measured through the Air Quality Index provide an indication of the quality of the pollution control regulations and the effectiveness of the compliance assurance program. Emission trends illustrate the direct relationship between the control program and reductions of the targeted pollutants in the atmosphere. A summary of our environmental goals, environmental objectives, and the measures that demonstrate progress towards these goals and objectives follows:

Environmental Goal Illinois should be free of air pollutants at levels that cause significant risk of cancer or respiratory or other health problems. The air should be cleaner (i.e., less), and the impact of airborne pollutants on the quality of water and on plant life should be reduced.	
<u><i>Environmental Objectives</i></u> <u>General Air Quality:</u> <ol style="list-style-type: none"> 1. Maintenance of 90%¹ "good" or "moderate" air quality conditions in the areas of the state outside the Lake Michigan and Metro-East ozone nonattainment areas. 2. Maintenance of 90% "good" or "moderate" air quality conditions in the two ozone nonattainment areas. 3. Maintenance of attainment status for pollutants other than ozone and PM_{2.5}, especially in urban areas. <u>Ozone:</u> <ol style="list-style-type: none"> 4. Attainment of the 1-hour ozone standard by 2007. 	<u><i>Environmental Indicators</i></u> Air Quality Index levels outside the ozone nonattainment areas. Air Quality Index levels in the ozone nonattainment areas. Trends in monitored levels of each criteria pollutant other than ozone. Trends in the relationship between the number of days in exceedance of the 1-hour ozone standard in the nonattainment areas and the number of days conducive to the formation of ozone.
<u><i>Program Objectives</i></u> <ol style="list-style-type: none"> 1. For the Chicago ozone nonattainment area, 2004 total ozone season weekday VOM emissions will be at or below 750 tpd. 2. For the Metro-East ozone maintenance area, 2004 total ozone season weekday NO_x emissions will be at or below 1560 tpd. 3. Reductions in emissions of hazardous air pollutants. 4. Minimize the number of days of violation at high priority sources. 	<u><i>Program Outcome/Measures</i></u> Seasonal VOM emissions in the Chicago area ozone nonattainment area by sector. Seasonal NO _x emissions outside the Chicago ozone nonattainment area by sector. Trends in hazardous air pollutants emissions as reported through the National Toxics Inventory. Average number of days for significant violators to return to compliance or to enter into enforceable compliance plans or agreements.

- 3. Performance Strategies** - Performance strategies include the daily activities performed by the Bureau of Air that ensure that our environmental goal and program objectives and outcomes are being met. The performance strategies are described below as program activities. Attaining the 1-hour ozone standard in the Lake Michigan region remains a priority with Illinois EPA. However, Illinois EPA is now shifting its focus toward attainment of the PM_{2.5} and 8-hour ozone standards. The program activities described below support the past progress we have made towards attainment of the 1-hour ozone standard, and will

¹The Air Quality Index, which replaced the Pollutant Standards Index, includes the 8-hour ozone and PM_{2.5} standards. It also includes six categories of air quality: good; moderate; unhealthy for sensitive groups; unhealthy; very unhealthy; and hazardous.

also support our efforts to attain the 8-hour ozone and PM_{2.5} standards. For example, a source's permit includes conditions that limit the source's emissions of ozone precursors as well as other pollutants so that the source's emissions do not cause or contribute to exceedance of any air quality standard.

- a. Ozone – Portions of Illinois are not in attainment for the 1-hour (Chicago) and 8-hour ozone standards (Chicago and Metro-East St. Louis). Therefore, attaining these standards is a priority for us, and it deserves attention separate from the other, more functional programs in the Bureau of Air.
 - General - Illinois EPA will continue and expand upon our previous progress towards obtaining voluntary episodic emission reductions through the Partners for Clean Air, including measurement of program support, assessment of state implementation plan (SIP) credit potential, and continuation of our public education efforts. If sufficient funding can be obtained, we will sponsor a “Green Pays on Green Days” educational giveaway program during the 2005 ozone season. Additionally, we will participate in ozone forecasting and mapping projects.
 - 1-Hour Ozone – U.S. EPA has completed its remand rulemaking establishing limitations on NO_x emissions from internal combustion engines. In response, the Illinois EPA has commenced the rule development (Phase II) process to meet this requirement in a timely manner. Illinois EPA will submit the annual statewide emission inventory of major sources including ozone precursors in NET format. Illinois EPA will also continue participation in the Clean Air Counts campaign between communities in northeastern Illinois and Region 5 in an effort to find creative means of obtaining reductions of VOM and NO_x to further enhance air quality in the area.
 - 8-Hour Ozone - Illinois EPA will continue to track U.S. EPA’s development of planning guidance for implementing the 8-hour ozone standard. Illinois EPA will continue to participate in multi-state efforts to develop ozone-modeling analyses to support future attainment demonstration submittals.
 - Mobile Source Programs - Illinois EPA continues to add programs and initiatives for clean vehicles and fuels, with an emphasis on alternative fuels and advanced technology vehicles. These mobile source programs include the Illinois Alternate Fuels Rebate Program, Illinois Green Fleets program, Illinois Green Fuels program, Illinois Green Dealers program, Clean Fuel Fleet Program, Chicago Area Clean Cities program (in coordination with the City of Chicago), Tank Truck Certification program, Illinois Clean School Bus program, and the Stage I and Stage II Vapor Recovery programs.

The alternate fuel programs have resulted in over 6,000 alternate-fueled vehicles (AFVs) and more than 100 refueling sites being implemented in the state. With

the Illinois Alternate Fuels Rebate Program, over \$2 million has been issued to 134 businesses and local governments for 602 AFVs, including those that run on natural gas, propane, and E-85. The Illinois Green Fuels program was recently launched to highlight the growing number of E-85 stations in the state. The stations and “green fleets” are highlighted at www.illinoisgreenfleets.org and this website has received over 8,000 hits in the past four months. A public campaign is being developed to educate consumers and fleets with E-85 vehicles about where the E-85 stations are located. In addition, 34 school districts in the state have received over \$1.8 million to retrofit 549 school buses with oxidation catalysts, particulate filters, non-idling equipment, and to use ultra-low sulfur diesel and biodiesel fuels in the Illinois Clean School Bus Program. In the coming year, the Illinois EPA will work with car dealerships to become designated as an “Illinois Green Dealer” in promoting E-85 vehicles, fuel stations, and other types of clean fuels to customers.

- On-Board Diagnostics (OBD) - Following legislation to allow OBD testing, Illinois EPA began full pass/fail OBD testing in January 2004 and the Illinois Pollution Control Board has adopted these rules. Illinois EPA will continue to implement the OBD pass/fail program.
- b. Title V Program Implementation - Illinois EPA will continue to improve its rate of issuance and the effectiveness of Clean Air Act Permit Program (CAAPP - Illinois' Title V program) renewal permits, and ensure that sources in the state are aware of their obligations to comply with their CAAPP permits. Illinois EPA will also continue to provide Region 5 with proposed permits for federal review after public notice and review of the draft permits. Improving our rate of issuance and effectiveness of CAAPP permit renewals is a necessary and important element of our air program that assists Illinois in meeting its environmental and program objectives of attaining the ozone standard and maintaining attainment of the other National Ambient Air Quality Standards. The Bureau of Air and Region 5 will jointly determine and address any required revisions to the Title V program resulting from adoption of U.S. EPA's final amendments to 40 CFR part 70 and any permitting issues. We will process construction permit applications, including PSD and New Source Review evaluations, as appropriate. The Bureau will improve its rate of input into the RACT/BACT Clearinghouse.
- c. Air Toxics - The Bureau of Air's air toxics program has, in the past, reflected very active participation at the national level in the development of MACTs, at the state/regional level through our participation in the mercury initiative and the Great Lakes project, and at the state level in the development of data relative to toxic pollutants other than HAPs that Illinois has identified as being of concern in this state. However, the Bureau has lost key staff in this area. Illinois EPA will continue these activities as staffing allows, with emphasis on the following:
 - MACT Implementation – We will continue to participate in the implementation of MACT standards during FY05.

- Section 112 Implementation - Illinois EPA will continue implementation of Section 112 major HAPs requirements consistent with the Delegation Agreement between Illinois and Region 5. Moreover, Illinois EPA will work with Region 5 in implementation of Section 112(k) through the various community-based initiatives identified below, as part of the Urban Air Toxics Strategy.
- Monitoring - Illinois EPA commits to continue its data collection and monitoring for photochemical assessment monitoring station (PAMS) the designated National Air Toxic Trends Sites (NATTS). Monitoring data will be quality assured and submitted to AIRS on the same schedule as the PAMS data is submitted. Illinois EPA will cooperate with Region 5 on the evaluation of the monitoring data results and interpretation of historical monitoring data.
- Urban Toxics Strategy – As staffing allows, Illinois will work with Region 5 within the framework of the Integrated Urban Air Toxics Strategy, including evaluation of the impact of the strategy on Illinois source sectors, evaluation of federal/state roles, and determination of the significance of sectors not affected by MACT standards. Illinois EPA will identify high priority sectors after reviewing the most recent, updated toxics inventories and look for emission reduction opportunities in Illinois through pollution prevention and other voluntary reduction efforts. This includes stationary source measures as well as those for mobile sources such as a diesel retrofit program, lawnmower buy-back program, etc. Illinois will continue to work with the City of Chicago’s Departments of Environment and Aviation to provide technical assistance regarding ways to reduce toxic emissions from area and mobile sources through the use of lower emitting paints and coatings, and the use of clean alternative fuels.
- National Air Toxics Assessment (NATA) – As staffing allows, Illinois EPA commits to continue tracking the development of the NATA. As staffing allows, Illinois EPA and Region 5 will collaborate to interpret NATA results and examine where these results can be useful in local-scale assessments.
- Great Lakes Project - Illinois will continue its work on air toxics inventory enhancement in conjunction with the Great Lakes Project. Additionally, Illinois will continue to collaborate with Region 5 and the other Great Lakes states to develop a long-range regional plan to address air deposition.
- Mercury Initiative - Illinois will continue its work with other Region 5 states to identify the uses of mercury, and through Region 5’s Bi-National Toxics Strategy Mercury Workgroup, to reduce releases of mercury in the Great Lakes Basin. As resources allow, Illinois EPA will deploy state-of-the-art mercury monitors to provide more specific information regarding mercury deposition.

- Inventory Update and Development - Illinois EPA will work to ensure that HAP emissions data is being reported as required through Illinois' Annual Emissions Report and that reported data is input into its computerized emissions inventory system.
- d. Compliance - All compliance matters, including field inspections and enforcement, are addressed under this category.

The Field Operations Section will execute the inspection plan established in conjunction with Region 5. The plan will utilize a comprehensive approach to planning all compliance activities, including a priority/resource-based analysis of inspections and other inspector related activities. This includes sources with Clean Air Act Permit Program permits and Federally Enforceable State Operating permits, agricultural facilities, refineries, steel companies, chemical manufacturers, Emission Reduction Market System participants, other large emitters, asbestos demolition and renovation projects, complaint and enforcement follow-up investigations, and complicated emitters. As FY05 proceeds, we will use this method to refine our analysis and resource allocation to ensure the most effective inspection program possible based on available resources.

In addition to our inspection efforts, we have intergovernmental agreements with the City of Chicago Department of Environment and the Cook County Department of Environmental Control. The agreements outline specific inspection and other activities that they perform on our behalf. These activities are mostly related to dry cleaners, gas stations, asbestos removal activities and complaint investigations.

The Compliance and Enforcement Section of the Bureau of Air will facilitate the comprehensive and effective compliance and enforcement activities of the Bureau of Air. The Section will support any state, federal or joint state and federal initiatives. The Section will support routine compliance activities that yield information regarding a source's compliance status. Specifically, the Section will pursue noncompliance identified through inspections, permit reviews, records reviews, emissions testing and monitoring reviews, or any other activities. Emphasis will be placed on the following: NESHAP sources, major sources of VOM, NSR/PSD sources, Title V annual compliance certifications and emissions testing and monitoring issues. The Section will continue to participate in the development and implementation of the Agency Compliance Enforcement System (ACES). Additionally, the Section will ensure compliance with the ERMS, including trades. Illinois EPA will continue its annual performance review and report as provided in the ERMS rules.

Compliance Quarterly Report	40 CFR 51.324-327; Delegation Agreement	Quarterly	Submitted in hard copy
Names of stationary sources that are significant violators; information from CASM, DLC, and FOS; Anon-major@ violators of NSPS and NESHAP requirements			
Other Compliance Reporting		Annually	End-of-the-Year Grant Report
<ul style="list-style-type: none"> • Assertions of audit privilege • Number of enforcement cases initiated • Number of enforcement cases concluded • Penalty amounts levied • Value of SEPs in dollars and in tons of pollutants removed 	CMS	Quarterly	Submitted electronically to AFS
<ul style="list-style-type: none"> • Report the date of all source tests conducted and the results of those tests. • For stack tests at sources found in violation of emission limitations, the date the stack was completed, the results of the stack test, and the type of enforcement action taken 	CMS	Quarterly	Submitted electronically to AFS
<ul style="list-style-type: none"> • Report the date reviewed and results of all Title V annual compliance certification reviews. • Report all Full Compliance Evaluations (FCE) 	CMS	Quarterly	Submitted electronically to AFS
<ul style="list-style-type: none"> • Submit a negotiated Compliance Monitoring Strategy (CMS) plan by October 1. 	CMS	Annually	Discuss and negotiate plan as appropriate for final Regional approval by October 1

e. Base Programs and National/Regional Priorities - The base programs are those areas of the air program that continue every day to ensure clean air in the state. This element of the air program includes, for example, air monitoring and analysis and speciation of fine PM. National/regional priorities are those specific areas of air pollution control that U.S. EPA or Region 5 has identified as deserving of particular attention.

- Air Monitoring - The Bureau of Air will compile a complete and valid air quality database sufficient to meet program needs and U.S. EPA's requirements. We will operate the air-monitoring network pursuant to U.S. EPA's guidelines. Additionally, we will continue to obtain data from the PM_{2.5} monitoring system and will deploy the remaining five chemical speciation sites as federal funding allows. It is important that federal funding pursuant to Section 103 be continued and is timely. We will work with Region 5 to conduct audits on CEMs.
- State Permitting - The Bureau of Air will continue to process construction and "lifetime" operating permit applications for state (non-Title V/non-FESOP) sources and provide proposed construction permits to Region 5 as appropriate.

- PM2.5 – The Bureau has prepared and submitted the 2002 base year inventory for PM2.5 and its precursors. This inventory will be the basis for future rate-of-progress plans, and modeling analyses for PM2.5 and regional haze.
- PM10 - Funds for an October 1, 2002, through June 30, 2004, project extension grant to address PM10 nonattainment areas have been used by Illinois EPA to hire two interns to update the PM10 emission inventories for Lake Calumet and McCook. The interns began their efforts on August 18, 2003. Illinois EPA will include these emission inventories in maintenance plans for these areas as part of state and federal rulemaking processes to allow redesignation of these areas to attainment for PM10.
- Regional Haze/BART - The Bureau of Air has worked with the Midwest Regional Planning Organization (LADCO) and other midwestern states to develop and actively participate in a process to address the requirements of the 1999 Regional Haze Rule. The Bureau of Air will continue to participate in conferences and workshops necessary to address regional haze. The Bureau of Air and LADCO have worked with U.S. EPA to develop modeling approaches to address the impacts of BART-eligible sources. We have compiled lists of potential BART sources in Illinois and are continuing to work to refine the lists. The Illinois EPA is working with LADCO's contractors to begin the process of performing requisite "engineering analyses" required under BART. We have prepared and mailed surveys to over 200 potential BART sources to refine our information regarding start-up dates for affected units.
- Vehicle Programs - The Bureau of Air has implemented its Clean Fuel Fleets Program and will continue its programs addressing vapor recovery (Stage I, Stage II, and Tank Truck Certification). Although funding for the Alternate Fuels Rebate program had ended on June 30, 2002, funding was reinstated in July 2003. Illinois EPA will also continue operation of this program established pursuant to the Illinois Alternative Fuels Act, which is to encourage the use of alternative fuels in the state, partially through encouraging establishment of a refueling infrastructure.
- Data Management - Data management is important to the Bureau of Air's ability to efficiently handle the vast amounts of data generated through permitting, inspections, inventory development, air quality planning, monitoring, and other programs. Data management is a program element that supports our efforts to attain the ozone standard and to maintain attainment with the other NAAQS. The Bureau of Air will submit ambient air quality data as required in 40 CFR Part 58.
- ERMS Database Implementation - The Bureau of Air will continue to collect and maintain all relevant data, including HAP data, and thereby evaluate the performance of the program.

- Annual Emissions Reporting - The Bureau of Air has revised the Annual Emission Report rules to encompass special ERMS reporting of HAPs, as well as other changes in reporting requirements since it was last amended.
- Integrated Comprehensive Environmental Data Management System (ICEMAN) - We will continue to expand the capabilities of ICEMAN. Areas of importance include: extracting modeling-ready data, web access by the public to appropriate data and begin the process to receive annual emission reports electronically.
- Agency Compliance and Enforcement System (ACES) - In cooperation with other parts of Illinois EPA, we expect to implement ACES at an Agency-wide level by July 2005.
- Community Relations - The Bureau of Air is committed to involving the public (citizens, community leaders, and company representatives) in various Bureau activities. The Bureau of Air, through the Office of Community Relations, disseminates information and promotes public involvement in various Bureau programs through a variety of outreach mechanisms, including public meetings and hearings, workshops and conferences, fact sheets and pamphlets, news releases, and responsiveness summaries. Community Relations is engaged in an ongoing process to maintain a dialogue with individuals and groups to ease public concern, raise public awareness, and increase public trust.
- Multimedia Programs - The Bureau of Air will continue its active participation in Illinois EPA's public education program, including actions to educate the public regarding measures individuals can take to help reduce pollution. The Bureau of Air principally through Permits and Field Operations Sections supports Illinois EPA's Pollution Prevention Program. Pollution prevention assistance will continue to be a routine part of inspections performed by Bureau of Air inspectors. Inspectors and permit analysts will assist small businesses in their awareness and understanding of existing and proposed MACT standards and air pollution regulations. As described above under Air Toxics, we will continue our participation in the Great Lakes Project, particularly those SO₂ and NO_x sources subject to or participating in U.S. EPA's Acid Rain NO_x SIP Call trading program.
- National/Regional Priorities - As resources allow, Illinois will continue to participate in Section 112(f) residual risk committees for targeted MACT standards. Section 112(f) is expected to be a component in the Urban Air Toxics Integrated Strategy development over the next five years. Also, as described above, we will participate with Region 5 in performing audits of CEMS. Region 5 will help the state in its participation on a national level in the development of policies addressing ozone and fine particulate, and improve the effectiveness of the Title V permits. The Bureau of Air will participate in the Chicago Compliance Initiative and the Clean Air Counts campaign.

4. Clean Air Program Resources

Federal Resources	55 FTE
State Resources	302 FTE
TOTAL	357 FTE

5. **Federal Role** - The Region 5 Air and Radiation Division (ARD) commits to support the Bureau of Air in all efforts necessary to achieve Illinois EPA's mission of Clean Air. A priority will be playing a leadership role in the identification and resolution of program issues at the national level which impact state implementation. Region 5 will work with Illinois EPA to assess issues of concern and develop possible solutions. Region 5 will facilitate issue resolution through the Headquarters' process to ensure answers are timely and responsive to state concerns, while reflecting appropriate national consistency. Specifically with regard to SIPs, Region 5 will provide technical assistance, review, and testimony where requested, before and during state rulemaking. Completeness reviews will be completed within 60 days, but no later than six months from the date of submittal, and Region 5 will prepare Federal Register actions as expeditiously as possible, while striving to achieve statutory deadlines for rulemaking actions. Administratively, ARD will continue to provide Illinois EPA timely information regarding available resources and competitive grants throughout the year and will work with the state to expeditiously apply for and receive appropriate awards.

Region 5 will seek innovative ways to address broad regional priorities; including community based environmental protection, pollution prevention, and compliance assistance. Region 5 will assist Illinois EPA in implementation of the MACT program, provide technical support on mobile source issues and voluntary mobile source emission reduction programs, and HAP emission inventory development. Region 5 will provide timely notice of and information on funding opportunities for community-based air toxics projects, including assessments and mitigation efforts. Region 5 will work towards providing training opportunities related to air toxics in an effort to build air toxics program capacity in the state and region. Finally, Region 5 and Illinois EPA will continue to educate the general public, through the news media and public service messages, about burn barrel hazards and waste reduction opportunities.

Region 5 has been actively involved in the Clean Air Counts campaign in the Chicago area, with a diverse network of stakeholders to create new strategies for attaining Clean Air Act standards while achieving redevelopment goals. These strategies will influence municipal and private actions such as Brownfield redevelopment, investments in transit, greening, and other infrastructure, pollution prevention, and land use decisions. Region 5 continues to be involved in various workgroups that were formed to concentrate on pieces of the campaign. These include clean air technology, aggregation, incentives and credits, development and energy. Out of these workgroups, we will identify activities to be implemented in both the short and long term that enable specific actions to occur that are necessary to combine cleaner air with redevelopment activities. These actions and activities may also qualify as

reductions under the State Implementation Plan (SIP) or may improve the livability within a nonattainment area.

Regional activities in the state's broad program components include the following that ARD will undertake:

a. Ozone

- Provide technical assistance to Illinois in the implementation of the NOx SIP Call, particularly the federal NOx trading program.
- Provide Illinois with guidance on the status of the NOx SIP Call development.
- Provide technical assistance and advice in development of upcoming reasonable further progress plans for the 8-hour ozone standard.
- Assist Illinois in the implementation of the new MOBILE6 mobile source emissions model and provide technical assistance to address any issues.
- Provide technical assistance in addressing issues and in resolving problems associated with demonstrating conformity of transportation and general programs, plans, and projects to the State Implementation Plan.
- Work with the state to continue implementing and improving upon the existing Ozone Mapping System.

b. Title V

- Facilitate timely resolution of permit issuance rate and effectiveness impediments identified with state.
- Promote timely resolution of national issues, and common sense solutions for addressing newly identified concerns in a manner, which promotes continued issuance of good quality Title V permits.
- Work with state and U.S. EPA, Headquarters to streamline Title V where national opportunities exist and where state-specific efforts are feasible. Provide technical assistance as requested by the state for issues such as applicability determinations.
- Review a broad range of draft permits consistent with the Permits Memorandum of Agreement and provide feedback at the staff level on permit content, organization, and structure during program start-up and on draft permits of concern where there is reason to believe that public scrutiny will be high, while minimizing review of those permits that include federally enforceable permit conditions to limit applicability of various regulatory thresholds, particularly where the state has issued similar permits previously.
- Provide all information relative to changes in Title V regulations and guidance in a timely manner.
- Provide general training opportunities as appropriate.
- Provide the state with specific concerns with regard to Title V approval, including enforcement and compliance provisions.
- Consult with Illinois EPA during the development of federal rules and policy to the extent feasible.

- On a quarterly basis, Region 5 will submit the following information to Illinois EPA during Title V/NSR conference calls.
 - i) Any sources with CAAPP applications pending for which U.S. EPA has identified significant public interest or a concern over environmental justice;
 - ii) Any sources with CAAPP applications pending in which Region 5 has any special interest, with explanation; and
 - iii) Any source with an issued CAAPP permit for which a petition for review by U.S. EPA has been submitted, pursuant to Section 505(b)(2) of the Clean Air Act.
- c. Air Toxics
 - Provide assistance in implementing MACT. In particular, provide assistance in any applicability determinations and control requirements of the NESHAPs.
 - Provide timely notification of funding opportunities for community-based air toxics projects.
 - Coordinate and advance the understanding of mercury impacts and seek reductions as appropriate.
 - Coordinate efforts to develop state toxics inventories and assist in the QA.
 - Provide technical assistance on air toxics program issues or concerns.
- d. Compliance Assistance and Enforcement
 - Region 5 FY05 initiatives include coal-fired utilities, refineries, MACT (secondary aluminum production, reinforced plastics composites), HON sources, chemical sector sources, minimills, federal facilities, Portland cement plants, ozone sources, a stack testing initiative in geographic priority area, and NSR/PAS/FESOP/Title V.
- e. Base Programs and National/Regional Priorities

Air Monitoring:

- Conduct Quality Assurance (QA) system audits of Illinois EPA ambient air quality monitoring network and provide the service of QA performance audits when needed in coordination with Illinois EPA.
- Continue to provide assistance and technical support for the Photochemical Assessment Monitoring Stations (PAMS) in coordination with Illinois EPA.
- Work with the state to implement Lake Michigan PAMS data analysis plan.
- Work with the state in reviewing and approving annual NAMS/SLAMS network plans.
- Provide Illinois EPA the resources needed to support the national trend site for PM_{2.5} speciation.
- Provide Illinois training in quality assurance and data reporting for PM_{2.5}.
- Support Illinois' efforts to secure Section 103 funding for PM_{2.5} monitoring. Assist Illinois EPA in conducting PM_{2.5} analyses.
- Work with the state to implement the National and Regional Monitoring Strategies including NCore.

- Work with the state to ensure data completeness in AQS.
- Encourage Illinois establish a training program for the new monitoring technologies, including, but not limited to, NCore level 2 trace gases and toxics. Region 5 may do this by requiring it in the 103 workplan for PM 2.5, and toxics and we may provide/identify funding in the grant for this purpose.

Permitting (other than Title V):

- Facilitate timely resolution of permit problems; including resolution of national issues and common sense solutions for addressing identified concerns.
- Provide technical assistance as requested by the state for issues such as applicability determinations.
- Review draft permits consistent with the Memorandum of Agreement, including FESOP, netting, all PSD permits and permits of concern where there is reason to believe that public scrutiny will be high.
- Provide all information relative to changes in construction permit program regulations and guidance in a timely manner.

Small Business:

- Promote regional communication and information exchange through quarterly conference calls and an annual conference.
- Address questions, complaints, and compliance efforts regarding the Stratospheric Ozone Protection programs throughout the state.
- Work with the state to develop a mechanism to assess how well small business MACT outreach is furthering compliance goals.
- Continue to host quarterly calls with state/local dry cleaner contacts.
- Continue to provide ongoing technical assistance to state/local dry cleaner contacts. Region 5 will continue to provide a conduit for state/local dry cleaner contacts having issues to be addressed by U.S. EPA and will continue to assure access for these contacts to federal documents, information and other resources that become available.

Public Outreach and Education

- Continue to support the Air Pollution Action Days and Partners for Clean Air programs through mailing of materials and other outreach activities.
- Continue participation as a partner in the “Partner for Clean Air” organization.
- Participate in community forums on urban sprawl and hold at least another community workshop in the East St. Louis area on urban sprawl.
- Pursue opportunities for public education and outreach using its Air Pollution Action Days brochures, particularly focusing on our geographic initiative minority communities, finding ways to effectively provide this information to parents of children that may be especially vulnerable.
- Expand and enhance ARD's Homepage to provide both general and state-specific information on environmental problems and conditions in a manner that is readily understandable.

- Region 5 will continue to collaborate with Illinois EPA and environmental providers in Illinois to build and expand state capacity in environmental education.
 - Continue outreach on asthma and its relationship to air pollution in the Greater Chicago area.
 - Provide outreach information and educate stakeholders by establishing meetings, seminars, and materials, particularly in the form of Q/A, regarding the 1999 National Air Toxics Assessment (NATA).
6. **Federal Oversight** - As part of the planned output for the air program, Illinois EPA will submit information to the U.S. EPA's data system in addition to providing a variety of summary reports and analyses. The oversight arrangements listed here anticipate that Region 5 will avail itself of such information as part of its oversight program. The remainder of this section discusses special arrangements, including on-site inspections for specific parts of the air program.
- a. **Title V**
- **FESOPs** - Federally enforceable permit programs (e.g., NSR, PSD, FESOP, Title V) will receive review sufficient to ensure programmatic integrity. Draft permits will be made electronically accessible to Region 5 with paper copies and supporting documents provided upon request. Region 5 will minimize the review given to CAAPP permit renewals that are substantially similar to previously issued permits that have been reviewed.
 - Region 5 will work with Illinois EPA to jointly develop a complete and accurate source inventory. U.S. EPA continues to develop source listings under regulatory development (i.e., Supplemental Enforcement Projects, etc.). This information should be available to Illinois to enhance source inventory data.
- b. **Base Programs and National/State Priorities**
- **Air Monitoring** – Region 5 will review results of National Performance System Audit program and perform limited on-site audits or inspections on a case-by-case basis pursuant to joint agreement on the needs specific to the state program. For source emissions monitoring, Region 5 will participate in witnessing selected stack tests in conjunction with the state.

Bureau of Land

1. Program Description

The Bureau of Land (BOL) implements the Clean Land Program. BOL's goals are to minimize generation of wastes, maximize proper management of waste generated, and maximize restoration of contaminated land. To achieve these goals, BOL has divided its resources into six broad environmental focus areas and 10 BOL programs.

Hazardous Waste Management

- a. RCRA Subtitle C Program regulates the generation, transportation, treatment, storage, or disposal of hazardous wastes to ensure that hazardous wastes are managed in an environmentally sound matter.
- b. Underground Injection Control Program regulates the underground injection of liquid hazardous waste into deep wells to ensure underground sources of drinking water are protected from contamination. The program also prohibits the underground disposal of hazardous waste into or above underground sources of drinking water except where associated with U.S. EPA or state approved cleanup provisions of the federal Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) or the Resource Conservation and Recovery Act (RCRA). (Note: This program also regulates the injection of liquid non-hazardous waste as a disposal method.)

Nonhazardous Solid Waste Management

- c. Underground Injection Control Program regulates non-hazardous industrial waste injection wells, septic systems, storm water drainage wells, and other wells that inject fluids below the land surface. (Note: This program also regulates the underground injection of liquid hazardous waste into deep wells.)

Federal Cleanups

- d. National Priorities List Program investigates and cleans up Superfund² sites (i.e., the most serious hazardous waste sites in Illinois, as well as the nation).
- e. Federal Facility Program provides oversight to federal agencies implementing CERCLA at federal properties pursuant to Executive Order 12580 and provides assurance to local communities that federal facility sites have been cleaned up satisfactorily.

² Superfund generally refers to the federal program administered by the United States Environmental Protection Agency under the authority of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA or Superfund) and the implementing regulations of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR 300.

- f. The Office of Site Evaluation collects and evaluates environmental information on uncontrolled hazardous waste sites that pose an unacceptable risk to human health and the environment. The information is gathered to screen sites for no further action determinations, to advance sites in the Superfund investigation process, or for Brownfields redevelopment.

State Cleanups

- g. Response Action Program administers cleanup at sites where state or responsible party resources are necessary to clean up hazardous substances.
- h. Site Remediation Program provides participants (remediation applicants) with the opportunity to voluntarily clean up contaminated sites with Illinois EPA oversight.

Leaking Underground Storage Tank Cleanups

- i. Leaking Underground Storage Tank Program directs the cleanup of properties where petroleum or hazardous substances have leaked from state and federally regulated underground storage tanks and the Illinois Emergency Management Agency has been notified. The Bureau of Land also administers the Underground Storage tank (UST) Fund to help tank owners and operators pay for cleanups and to meet their federal financial assurance requirements. A portion of the LUST Program staffing is paid from the federal LUST Trust Fund.

Other Environmental Areas

- j. Office of Brownfields Assistance promotes the cleanup and redevelopment of abandoned or underutilized commercial and industrial properties.

2. Environmental Goals/Objectives

BOL utilized the SMART framework to illustrate the multi-level relationship between program and environmental objectives, and Bureau-specific goals.

ENVIRONMENTAL GOAL

Safe Waste Management and Restored Land

<u>Program Objectives</u>	<u>Program Outcomes</u>
1. By 2005, reduce the annual amount of hazardous waste managed at commercial treatment/disposal facilities by 10%.	<ul style="list-style-type: none"> • Tons of hazardous waste managed at commercial treatment/disposal facilities annually
2. By 2005, 60% of operating hazardous waste management sites with groundwater monitoring systems will be in detection monitoring. 3. By 2005, 95% of hazardous waste management sites with groundwater monitoring systems have no significant releases that harm off-site groundwater, human health, or the environment.	<ul style="list-style-type: none"> • Percentage of hazardous waste management facilities conducting detection • Percentage of hazardous waste management facilities conducting assessment/compliance monitoring
4. By 2005, 90% of RCRA-regulated and inspected sites will be in full compliance within 180 days of the inspection date.	<ul style="list-style-type: none"> • Significant Non-Compliers (SNC) rate within compliance monitoring program • Success rate of Compliance Assistance Program (% of generators in compliance at the beginning of compliance assistance surveys; % of generators in compliance at the end of compliance assistance surveys; and % of generators in compliance within 90 days after compliance assistance surveys) • Average number of days for SNC to return to compliance or to enter enforceable compliance plans or agreements • Percent of SNC at which new or recurrent violations are discovered (by re-inspection or compliance order monitoring) within two years of receiving a final order in an enforcement action • Percent of hazardous waste managed at Treatment, Storage, and Disposal facilities with approved controls in place • Description of environmental benefits that are achieved due to resolution of enforcement cases that involve P2, SEPs, etc., when information is readily available

<u>Program Objectives</u>	<u>Program Outcomes</u>
6. By 2005, ensure proper closure and post-closure of all inactive hazardous waste landfills.	<ul style="list-style-type: none"> Percentage of GPRA Baseline Post-Closure Universe landfills facilities brought under control
7. By 2005, clean up 15,528 sites (about 80,200 acres): <ul style="list-style-type: none"> 1,457 voluntary cleanup sites (9,400 acres) 27 identified abandoned landfills (1,800 acres) 37 National Priorities List sites (6,000 acres) 7 Federal facility sites (49,000 acres) 14,000 state and federally regulated Leaking Underground Storage Tank (LUST sites (14,000 acres) 	<ul style="list-style-type: none"> Acres remediated annually at site remediation programs based on the issuance of NFR Letters and 4(y) Letters Acres remediated annually at abandoned landfills through the State Response Program based on constructions completed Acres remediated annually at National Priorities List sites based on constructions completed Acres remediated annually at federal facilities based on the issuance of NFR letters, 4(y) letters and Findings of Suitability for Transfer Acres remediated annually at LUST sites based on the issuance of No Further Remediation (NFR) Letters

3. **Performance Strategies**

Performance strategies are plans to optimally employ resources and effectively direct BOL's efforts to achieve the three environmental objectives identified above. BOL's strategies for FY05 are: (1) reduce the quantity and hazardous nature of waste generated (particularly those wastes containing Waste Minimization Priority (WMP) constituents; (2) increase recycling and reuse; (3) manage pollution and waste; (4) clean up releases of wastes and hazardous substances; and (5) provide incentives for cleanup and redevelopment of underutilized industrial and commercial properties. Each of these strategies affects at least one of the six environmental focus areas. The effectiveness of BOL in implementing the strategies will be measured through the accomplishment of the program objectives (listed above) by the different BOL programs. Below is a description of program activities for the six environmental focus areas for FY05.

Hazardous Waste Management

Help companies identify and apply cleaner technologies and practices. BOL and the Illinois EPA's Office of Pollution Prevention (OPP) assist generators in identifying in-plant practices that may reduce the volume and toxicity of wastes (particularly those containing Waste Minimization Priority constituents). BOL prepares Pollution Prevention Feedback Summary forms summarizing pollution prevention topics discussed with the generators. Completed forms are submitted to the Illinois EPA's Office of Pollution Prevention for follow-up assistance.

For FY05, BOL will support pollution prevention activities through continuing education of their staff, conducting inspections at RCRA generators, and by promoting pollution prevention opportunities during surveys/inspections.

- a. Integrate pollution prevention into BOL's compliance and enforcement programs. For FY05, enforcement cases will be evaluated to incorporate supplemental environment projects³ that include pollution prevention measures (particularly in the area of Waste Minimization Priorities).
- b. Permit facilities that treat, store, and dispose of hazardous waste. Region 5 and BOL require owners and operators of hazardous waste management facilities to obtain and comply with permits prescribing technical standards for design, safe operation, and closure of their facilities. BOL has adopted the following permitting action plans in cooperation with Region 5:
 - BOL will ensure the safety and reliability of hazardous waste combustion by implementing the *Combustion Initiative's* permitting strategy: (1) establish higher priority for combustion facilities resulting in the greatest environmental benefit or the greatest reduction in overall risk to the public; (2) ensure employment of sound science in technical decision-making; and (3) include public involvement in permitting decisions. For FY05, BOL and Region 5 will take final action on a draft permit for Trade Waste Incineration, Inc. (Sauget, Illinois).⁴ We will also draft the Part B permit for the Akzo Chemical facility in Morris, Illinois.
- c. Ensure compliance by inspecting and monitoring individuals and waste management facilities that generate, transport, treat, store or dispose of hazardous waste and take enforcement measures when necessary. To implement this strategy, BOL has adopted the following activities:
 - Compliance Evaluation Inspections - BOL will conduct inspections to verify compliance status with RCRA requirements. BOL pursues compliance through the use of inspections, Violation Notices/Non-compliance Advisories, and enforcement actions, where appropriate.

BOL has identified 40 active TSDs in the RCRA INFO operating universe in Illinois. For FY05, BOL has committed to conducting 41 inspections at 36 TSD's. An inspection is a: CEI, CSE, CME, OAM, CVI, or an FRR. Since Section 3007 requires TSDs in the operating universe to be thoroughly inspected no less often than every two years, a CEI at 28 of these active TSD's will be conducted in FY05 to satisfy the requirement. In addition, BOL will inspect 4 federal TSDs. BOL will inspect 73 Large Quantity Generators (LQG) and 81 Small Quantity Generators (SQG) in FY05 regulated under RCRA. There are several criteria for selecting 154

³ Supplemental environmental project is an environmentally beneficial project a violator agrees to undertake in settlement of an enforcement action, but which the violator is not otherwise legally required to perform.

⁴ Illinois' only commercial hazardous waste incinerator.

generators for inspection. Generators targeted for inspection may include any combination of the following criteria:

- (1) Filed a 2001 Hazardous Waste Annual Report indicating they are an active large-quantity generator (LQG) of hazardous waste;
- (2) Produce hazardous waste containing Waste Minimization Priority (WMP) constituents;
- (3) Have a history of non-compliance;
- (4) Have an active enforcement order issued against them;
- (5) Are identified in RCRA Info as a G1 and notified after January 1, 1990;
- (6) Filed a Hazardous Waste Annual Report (as an LQG) in the past but no longer file reports;
- (7) New generators;
- (8) Small-quantity generators outside of the Des Plaines region;
- (9) Change to Permit Evaders; and
- (10) Facilities never inspected.

In some BOL regions, the LQG universe has been inspected in the past two to three years. In those instances, BOL will focus on other categories of RCRA generators that meet one or more of the criteria identified above. BOL anticipates these inspection activities may identify some LQGs that are currently non-filers. All violations discovered by BOL will be addressed in accordance with the U.S. EPA's *Hazardous Waste Civil Enforcement Response Policy* (dated March 15, 1996; effective April 15, 1996).

BOL will also conduct "other" inspections as required including sampling inspections, citizen complaint investigations, follow-up inspections, case development inspections, non-financial record reviews, etc. If necessary, BOL will conduct observation/training inspections with new Region 5 inspectors for the purpose of providing training and education.

- BOL's field staff will continue its participation in Illinois' aggressive criminal/enforcement program by providing technical assistance in gathering media samples and other environmental data/evidence for case development by law enforcement agencies.

BOL is a member of the Illinois Environmental Crimes Investigators Network, a partnership between the Illinois Attorney General, Illinois EPA, Illinois State Police, Illinois Department of Natural Resources, the Illinois State's Attorney's Association, and local law enforcement. For FY05, BOL will continue to be an active member of the Network through its civil and criminal environmental investigations, response to Network Environmental Crime Hotline referrals from the Illinois Attorney General's Office, and contribution to the Network newsletter.

BOL also represents the Illinois EPA as a member of the Midwest Environmental Enforcement Association (MEEA), an alliance of regulatory, law enforcement, and

prosecutorial agencies from Illinois, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Ontario, and Wisconsin. MEEA provides local, state, and federal enforcement agencies with training and professional networking opportunities for the exchange of enforcement-related information. For FY05, David Jansen (BOL Springfield Regional Manager) continues to serve on the MEEA board as Illinois' Executive Committee member.

- BOL will verify the safety and reliability of hazardous waste combustion in conjunction with the *Combustion Initiative*. For FY05, BOL and its contractor will monitor Onyx Environmental Services (Sauget, Illinois) by emissions testing activities. In addition, BOL will conduct two Compliance Evaluation Inspections at this facility.

d. Review and approve closure plans for units where waste management facilities once stored, treated or disposed of hazardous waste. Many facilities that previously stored, treated or disposed of hazardous waste have elected not to obtain a RCRA permit for these activities. These facilities must complete closure of all the units where they conducted hazardous waste management activities. Closure must be carried out in accordance with plans approved by BOL.

- BOL will ensure that 90 percent (or 50 of 56) of the Government Performance & Results Act Baseline Post-Closure Universe⁵ will have “approved controls in place” by FY05. Approved controls in place mean: (a) a post-closure permit has been issued for the unit, or an existing permit at the facility has been modified so that the unit in question is subject to the post-closure permitting standards; (b) the unit has achieved clean closure, as verified by BOL; (c) the unit has properly closed with waste in place, as verified by BOL, (d) a post-closure plan or similar enforceable document (such as a consent order) covers appropriate post-closure obligations, including 40 CFR Part 264 Subparts F and G, groundwater monitoring and cap maintenance requirements; (e) the unit is situated among solid waste management units, and closure and post-closure obligations at the unit are covered by a corrective action order or a similar enforceable document (including 40 CFR Part 264 Subparts F and G groundwater monitoring and cap maintenance requirements, as applicable); (f) the unit has been accepted by one of the state or federal cleanup programs for remediation; or (g) the application of other controls approved by BOL (as determined on a case-by-case basis).

At the end of FY04, 91 percent (or 51 of 56) of the Government Performance & Results Act Baseline Post-Closure Universe had approved controls in place.

⁵Government Performance & Results Act Baseline Post-Closure Universe are those facilities undergoing closure of all of its hazardous waste management land-based units (e.g., landfills, waste piles, surface impoundments) as of October 1, 1997.

For FY05, BOL will issue one additional post-closure permit, increasing the percentage of facilities on the Government Performance & Results Act Baseline Post-Closure Universe with controls in place to 93 percent.

e. *Require investigation and cleanup of releases at hazardous waste management facilities.*

The investigation and cleanup of hazardous substances at RCRA facilities is called corrective action. Facilities generally are brought into the RCRA corrective action process when there is an identified release of hazardous waste or hazardous constituents, or when BOL and Region 5 are considering a facility's RCRA permit application. The elements of corrective action are an initial site assessment, an extensive characterization of the contamination, and an evaluation and implementation of cleanup alternatives, both immediate (e.g., drum removals) and long-term (e.g., groundwater pump and treat). BOL has authority to direct corrective action at facilities permitted after April 1990, while Region 5 is responsible for directing corrective action at all other permitted facilities. Corrective action at closed facilities or Region 5 can only direct those undergoing closure of all regulated units.

BOL will initiate the following action plans in FY05:

- BOL will ensure that human exposure will be controlled at 27 of the 30 (or 90 percent) Cleanup Baseline Universe facilities and groundwater releases will be controlled at 21 of the 30 (or 70 percent) Cleanup Baseline Universe facilities by FY05. Human exposures have been controlled at 28 facilities, while groundwater releases have been controlled at 28 facilities. During FY05, BOL will ensure that (1) human exposures are adequately controlled at two more Baseline facilities; and (2) groundwater releases are adequately controlled at two more Baseline facilities.
- BOL is currently responsible for directing corrective action at 45 RCRA permitted facilities, 3 of which are currently bankrupt. By FY05, BOL will ensure that corrective measures have at least begun at all of the 42 currently permitted facilities, which are still active. Presently, corrective measures have been completed at 20 permitted facilities, while some type of corrective action has been initiated at 18 other facilities. Thus, during FY05 BOL will endeavor to begin a corrective measures program at the four operating facilities lacking such a program.
- BOL will seek the FY05 supplemental funds for RCRA corrective action environmental indicator determinations at GPRA baseline facilities.

As they are submitted, BOL will review (a) new RCRA permit applications for interim-status or new facilities, and (b) Part B RCRA permit renewal applications. This will increase the universe of facilities for which Illinois EPA has corrective action authority.

f. *Submit Authorization Revision Application (ARA) in accordance with federal schedules.*
Since January 31, 1986, Illinois EPA has been authorized by Region 5 to implement the

RCRA hazardous waste program in Illinois. BOL has been granted authority to implement additional parts of the RCRA Program that U.S. EPA has since promulgated (e.g., Corrective Action, Land Disposal Restrictions, etc.). Final action on ARA applications is being held up due to several statutory issues identified by U.S. EPA's Office of Enforcement and Compliance Assurance. Region 5 and Illinois EPA are currently working together to address these issues and possible statutory revisions.

- g. Participate in Geographic Initiatives. A geographic initiative represents an area deemed by U.S. EPA to have sensitive environmental problems requiring extra attention. In addition, several of the geographic initiatives may include areas with environmental justice concerns.

Great Lakes Basin Initiative covers counties in all six Region 5 states (Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin). In Illinois, the eastern most sections of Cook County and Lake County are within this geographic area. This Initiative brings together federal, state, tribal, local, and industry partners in an integrated approach to protect, maintain, and restore the chemical, biological, and physical integrity of the Great Lakes.

- h. Illinois EPA is seeking the full amount of the Clean Sweeps (PBT) supplemental funding for FY05 if available.

Nonhazardous Solid Waste Management

- i. Underground Injection Control Program

The work of the UIC program supports the U.S. EPA national goal of "Clean and Safe Water" and U.S. EPA Region 5, Water Division Goal of "All people in Region 5 served by public water supplies have water that is consistently safe to drink." The specific goal of the UIC program is to protect underground sources of drinking water from contamination by underground disposal of hazardous and non-hazardous waste through injection wells. Illinois EPA will continue to maintain the Class I well program. Illinois EPA will implement a Class V program as resources allow.

Illinois performance metrics: Percentage of disposal wells in violation, addressed by the UIC program; Percent of identified Class V motor vehicle waste disposal wells that are closed or permitted; Number of Class V surveys completed in ground water based community water systems; Percentage increase in inspections for Class V wells.

Objective: Prevent contamination of underground sources of drinking water.

Multi-Year Performance Measures:

By January 1, 2007, all identified motor vehicle wells are to be either closed or permitted.

U.S. EPA and Illinois EPA, will develop, implement and measure activities to address high priority Class V wells in Source water Areas and this will have the effect of reducing contamination releases to ground water and thereby reduce exposures to the public from contaminants.

Joint U.S. EPA / Illinois EPA Activities:

1. By the end of FY 2005, U.S. EPA and Illinois EPA will meet or exceed national UIC program performance activity measures.
 - a. Illinois EPA will assist U.S. EPA in addressing, through the UIC Program, 100 percent of Class V waste disposal injection wells that are identified to be in violation. (PAM 17).
 - b. Illinois EPA will address, through the UIC Program, 100 percent of Class I waste disposal injection wells that are identified to be in violation. (PAM 17).
 - c. Illinois EPA will assist U.S. EPA in either closing or permitting 9 percent of all identified Class V Motor Vehicle Waste Disposal Wells. (PAM 18). Illinois EPA will continue to maintain the Class V inventory and permit those Class V wells deemed appropriate for permitting.
 - d. Illinois EPA will assist U.S. EPA in completing Class V surveys for 15 percent of ground water based source water areas for Community Water Systems in Illinois. (PAM 19). Illinois EPA and U.S. EPA will work together on an annual basis to make progress towards a full inventory; the first priority will be motor vehicle disposal wells. In order to accomplish the full inventory surveys of these high priority wells should be conducted. The definition of a "survey" is to: "determine whether a Class V well exists at a facility. Determination can be made by contacting the facility owner/operator by written correspondence and follow-up verification, phone or actual inspection." Illinois EPA will report each year the cumulative percentage of counties and SWAs with completed surveys in place.
 - e. Illinois EPA will work with U.S. EPA, to achieve a one percent increase, in the number of high priority Class V, (motor vehicle disposal wells), inspections conducted in Illinois. (PAM 20).
2. Illinois Mutual Benefits Class V Motor Vehicle Waste Disposal Well Project - *(This project will support Illinois EPA in achieving PAMS 17, 18, 19, and 20.)*

Illinois EPA will Work with the U.S. EPA as specified in the Mutual Environmental Interests Section of the EnPPA: Illinois EPA and U.S. EPA Region 5, have agreed to a mutual benefits project, that will address Class V motor vehicle waste disposal wells in source water areas (SWA's) in Illinois, that are subject to the "new" Class V Underground Injection Control program requirements.

The project will allow the U.S. EPA to work with Illinois EPA in an effort to use limited resources in the most productive manner and to identify the responsibilities for addressing wells subject to the new regulations. The mutual benefit project does not fully address the UIC Program funding issues, but the majority of the responsibility for the development and the implementation of the project will be with U.S. EPA Region 5. A key to success in this project will be utilizing innovative approaches such as: implementing Best Management Practices (BMP), awarding facilities that have voluntarily closed their wells and effectively leveraging limited resources.

By March 2005, U.S. EPA, in coordination with Illinois EPA, will develop a strategy that serves as a blueprint for increasing UIC Class V program capacity in Illinois. Along with the strategy, another tactical workplan will be completed, that will include federal and state responsibilities, and contain deliverables and milestone dates, which will be agreed to. The main focus of the project will be on Class V motor vehicle waste disposal wells, and will include, collecting inventory and closure or permitting, of the wells identified.

U.S. EPA Activities:

U.S. EPA will use Illinois EPA reported data, self evaluations, and discussions with staff to assess and identify significant issues and trends that have occurred in the UIC program and follow up as appropriate.

Illinois EPA Activities:

1. The Illinois EPA will continue to implement a UIC program for regulating Class I injection well activity in Illinois. U.S. EPA will follow up with the Illinois EPA on the review and analysis of deep disposal well logs.
2. Illinois EPA will provide all available inventory data, for grant purposes, by *October 31, each year (even if it is the previous year's inventory), then finalize the information by February 15* (45 days after the end of the calendar year, as allowed in the federal regulations). US EPA will provide to Illinois EPA the information needed to update their Class V inventory.
3. Illinois EPA will target, as resources allow, their Source Water Areas (SWA), that have TCE contamination. A group of Illinois EPA technical staff and managers will evaluate each area (estimated to be 31 areas) and determine areas of highest priority for investigation (nearby receptors will be one significant determinant). Illinois EPA will conduct door-to door, Class V motor vehicle waste disposal well surveys and collect inventory information on those wells. Illinois EPA will provide the number of systems by June 2005 for which a survey will be completed along with copies of those surveys. Illinois EPA will also provide by February 2005, the locational information on the 31 areas, including county.

Federal Cleanups

- j. Address immediate dangers first, and then move through the progressive steps necessary to evaluate whether a site remains a serious threat to public health or the environment.

Superfund provides resources for removal and remedial actions at uncontrolled or abandoned hazardous waste sites. Various parties, including citizens, state agencies, and U.S. EPA, discover such sites. Once discovered, sites are entered into U.S. EPA's computerized inventory of potential hazardous substance release sites (i.e., Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS)). BOL then evaluates the potential for a release of hazardous substances from the site by investigating site conditions. The data collected is used in an assessment and scoring system called the Hazard Ranking System to evaluate the dangers posed by the site. Sites that score above 28.5 on this System are eligible for listing on the federal National Priorities List (NPL).

BOL's Office of Site Evaluation priorities are to: (a) identify potential hazardous waste sites; (b) determine the need for time critical removal action; (c) evaluate the backlog of sites on U.S. EPA's computerized inventory of potential hazardous substance release sites; and (d) propose listing of appropriate sites on the NPL.

For FY05 BOL will address these priorities through the following activities:

Activity	Planned for FY2005
Pre-CERCLIS Screening Action	11
Immediate Removal Coordination	12
Combined Site Assessment	3
Expanded Site Inspection	5
Hazardous Ranking System	1
Preliminary Assessment	4
TOTAL	36

- k. By 2010 complete construction on 85 percent (or 37) of the 44 Superfund sites.

Superfund sites are CERCLIS sites addressed through federal cleanup laws (i.e., CERCLA, SARA, or NCP). The most serious Superfund sites are listed on the NPL. Since each Superfund site presents unique challenges, BOL employs a systematic approach to develop a cost-effective cleanup acceptable to the state and local community. This approach is composed of a five-phase remedial response process⁶ consisting of: (a) investigation of the extent of site contamination (remedial investigation); (b) study of the range of possible cleanup remedies (feasibility study); (c) selection of the remedy (Record of Decision (ROD)); (d) design of the remedy (remedial design); and (e) implementation of the remedy (construction completion). In Illinois, there are 44 NPL (Superfund) sites.

⁶Sections 300.430 - 300.435 of the NCP

The benchmark set for 2005 is to issue one Record of Decision and complete construction at three superfund sites:

Records of Decisions Planned for FY2005	
Site Name (City or County)	IEPA Inventory Identification Number
Parsons Casket Hardware NPL Site	0070050017

Superfund Construction Completions Planned for 2005		
Site Name (City or County)	Acres	IEPA Inventory Identification Number
Evergreen Manor NPL Site	5	20104000150
Interstate Pollution Control NPL Site	3	2010300018
Yeoman Creek Landfill NPL Site	61	0971900005

1. By 2010, complete all the necessary remedial actions at seven active or closing federal facilities and complete the transfer of property at six of these federal facilities. Federal facilities are properties owned or leased by the federal government. In Illinois, these facilities were primarily military installations and plants that manufactured explosives, ammunition and military equipment. Federal facilities may be contaminated with hazardous waste, unexploded ordnance, radioactive waste, fuels and other toxic constituents.

Under federal law⁷, federal facilities must be investigated and cleaned up to the same standards as private facilities that are conducting cleanup under CERCLA. Due to their size and complexity, compliance with environmental laws and regulations may present unique management issues for these facilities. Currently, Illinois EPA, U.S. EPA, the U.S. Department of Defense (DoD) and the U.S. Department of Interior are conducting cleanup activities at 23 federal facilities.

Base Realignment and Closure (BRAC) sites remain the focus of BOL, U.S. EPA, DoD and other federal agencies because these sites are scheduled for closure and their reuse offers an opportunity for economic recovery of communities associated with those bases. In addition to the bases already selected for closure, another round of bases will be selected for BRAC closure in 2005. Upon successful completion of the cleanup, a Finding of Suitability for Transfer (FOST) is issued by the Department of Defense and other federal agencies, with input from U.S. EPA and Illinois EPA. The FOST validates that site closeout requirements have been met and identifies any institutional controls (i.e., restrictions on land use).

⁷ Section 120 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, and Executive Order 12580.

At Fort Sheridan, BOL will assist the U.S. Army in completing all planned remedial actions for the property that will be retained by the federal government (the DoD Operable Unit) during calendar years 2005, 2006 and 2007.

At the former Joliet Army Ammunition Plant, BOL will assist the U.S. Army in completing remedial actions at 1,030 acres during calendar years 2005 and 2006.

At Savanna Army Depot Activity, BOL will assist the U.S. Army in completing remedial actions and property transfer for 1,276 acres during FY 2005 and 2006.

In addition to BRAC sites, BOL conducts environmental restoration activities at sites formerly used, leased, or otherwise operated by DoD or any of its components. These Formerly Used Defense Sites (FUDS) were closed and the property transferred to private, federal, state or local government ownership. BOL's list of FUDS requiring further response actions currently contains 105 sites.

Remediation of Federal Facility Property

Site Name (Total Acres)	IEPA Inventory Number	Acres Evaluated with No Further Action	Acres Left to be Evaluated or Remediated	Acres Realigned	Total Acres Transferred (FFY 2004 Acres)	Acres Remaining to be Transferred
Chanute Air Force Base (2,125)	0198700001	692.89 ⁸	1,432	0	671/(0)	1,423 ⁹
Crab Orchard National Wildlife Refuge (26,125)	1998620014	7,501 7,553?	18,553 ¹⁰ 18,572?	0 ¹¹	0/(0)	0
Fort Dearborn (16)	0312765079	16	0	0	0/(0)	16
Fort Sheridan (712)	0970555001	345.7	0	400 (U.S. Army Reserve and U.S. Navy)	312 to Lake County Forest Preserve District, City of Highwood, City of Highland Park/(0)	0 ¹²
Joliet Army Ammunition Plant (23,542)	1970450027	19,171	4,366 (4,020 of USDA lands; 346 JADA lands)	16,062 (15,080 to USDA; 982 to VA)	3,108.86: 455 to Will County; 2,653.86 to JADA/ (304.8)	4,366 (4,020 of USDA lands; 346 of JADA lands)
Libertyville Training Site (167.03)	0978110003	151.61	0	0	167.03 to City of Vernon Hills/(0)	0
Naval Air Station Glenview (1,122.30)	0311025007	800 +/-	0	93 (now considered part of Great Lakes Naval Training Center)	1,029.03 to Village of Glenview/(0)	0
O'Hare Air Reserve	0316760003	321.58	0	0	290/(0)	0

8 The U.S. Air Force previously transferred 671 acres, all contained within Operable Unit 1. Because the Environmental Baseline Survey did not capture all the areas of concern in OU 1, the Air Force has included some transferred properties into the ongoing Remedial Investigations. The additional 22.1 acres represents tank sites with completed remedial actions through FFY 2004.

9 While 1,420 acres remain to be transferred, this will not occur until after 2005. The primary reason is the slow progress of the Remedial Investigation. The Air Force is forecasting completion of remedial action in 2008. This schedule revision occurred during FFY 2002.

10 The following operable unit acreages remain to be evaluated or remediated: Additional and Uncharacterized Sites Operable Unit (31 sites, 18,427 acres); Polychlorinated Biphenyl OU (TCE groundwater, 73 acres); and Miscellaneous OU (Sites 14 and 36, 50 acres).

11 Congress transferred all of this property to the Department of the Interior in 1947.

12 Cleanup of the BRAC sites on the Surplus Operable Unit were completed in 2001 and that property was then transferred. Cleanup of the Department of Defense Operable Unit is currently ongoing. However, that property is not slated for transfer.

Station (352)						
Savanna Army Depot Activity (13,062)	0158100002	4,201.67	8,860.33	3,165	363.17/(320.5)	2,836.83 to transfer 6,695 acres to be realigned

- m. By 2005, conduct 57 brownfield assessments using BOL staff. Redevelopment assessments are evaluations of contaminants at abandoned or derelict industrial properties with a potential for redevelopment and productive use. U.S. EPA funds these assessments.

Since FY1995, BOL has completed 50 redevelopment assessments. For FY05, BOL will conduct seven redevelopment assessments.

State Cleanups

- n. By 2005, clean up 9,400 acres at 1,457 sites through the voluntary cleanup program. The Site Remediation Program is one of the oldest state voluntary cleanup programs in the nation. Remediation Applicants may elect to clean up all contamination at the site or specific chemicals. The Remediation Applicant using a risk-based approach, which allows the use of engineered barriers and institutional controls, develops remediation objectives. Successful completion of all program requirements results in a No Further Remediation Letter¹³ for the site.

In FY05, the voluntary Site Remediation Program will continue to assist Remediation Applicants in various stages of the cleanup process. BOL has targeted dry cleaning facilities and manufactured gas plants because these industries initiated sector-specific strategies (e.g., financial incentives, marketing programs, etc.) to deal with environmental cleanup issues.

Leaking Underground Storage Tank ("LUST") Cleanups

- o. The LUST Program goal is to issue 850 No Further Remediation Letters in FY05. The State of Illinois protects human health and the environment by administering a comprehensive underground storage tank program under a cooperative agreement negotiated with U.S. EPA, Region 5. The terms of the agreement require the Illinois Office of the State Fire Marshal to enforce preventative measures and the Illinois EPA to oversee the remediation of releases from state and federally regulated underground storage tanks.

Through August 2004 there were approximately 23,000 confirmed releases reported.

In FY05, Illinois EPA will implement the following action plans to improve the cleanup of state and federally regulated leaking underground storage tanks:

¹³35 Ill. Adm. Code 740

- Illinois EPA will pursue regulatory amendments to the Illinois Pollution Control Board and implement such amendments if adopted to streamline the program and reduce remediation costs.
- Illinois EPA will take appropriate formal (i.e. referrals to the Attorney General's or State's Attorney's Offices) and informal enforcement actions, as needed, to ensure that cleanups are proceeding to protect human health and the environment.
- Illinois EPA will help owners and operator understand and comply with the regulatory requirements by expanding program information on our web site and through participation at seminars/conferences.
- Illinois EPA will oversee LUST cleanups at brownfield sites with any additional monies received from U.S. EPA in FY05.

Other Environmental Areas

- p. *Provide financial incentives and technical support to initiate and advance self-sustaining efforts by local governments and private parties to clean up Brownfield sites and establish state, community and federal partnerships to promote Brownfields redevelopment.* Below are the financial incentives and technical support objectives for brownfields redevelopment in Illinois.

- For 2005, provide Brownfield grants to 10 communities to investigate, assess and remediate contamination. The Illinois Municipal Brownfield Redevelopment Grant Program (MBRGP) offers grants worth a maximum of \$240,000 each to municipalities to investigate and remediate Brownfield properties. Brownfield Redevelopment Grants may be used to perform environmental site assessments to determine whether a Brownfield property is contaminated, and if so, to what extent. These grants may also be used to develop cleanup objectives, prepare cleanup plans, and implement cleanup activities. Grant recipients are required to share in any grant award through a 70/30 match and to spend the grant within three years. The Office of Brownfields Assistance seeks out MBRGP grant recipients, evaluates grant applications, monitors grant activities, and reviews reimbursement requests to ensure eligibility and reasonableness of costs.
- Brownfields representatives from the Office of Brownfields Assistance assist communities with extremely complex issues of Brownfields cleanup and redevelopment. The Office also guides communities through both the grant application and implementation processes and will meet with community officials before they file a formal grant application to help determine cleanup potential and maximize grant dollars. After grants are awarded, the Brownfield representatives continue to assist grantee by providing continuous assistance with clean-up and clean-up issues.

The Illinois EPA issued 96 grants as of September 13, 2004. Brownfields representatives are assisting over a dozen additional communities with project development and preparation of grant application for submittal.

- By 2005, award \$3.0 million from U.S. EPA BCRLF Cooperative Agreement funds. Cooperative Agreement funds will be awarded to eligible municipalities under an Intergovernmental Agreement (IGA).

The maximum amount loan under an IGA for a specific project is \$425,000. The maximum award amount to a municipality is \$1 million loan will pay for remediation costs performed under a Remedial Action Plan approved by the Site Remediation Program.

As of September 30, 2004, the Office of Brownfields Assistance has made four loans with three separate communities for a total of \$1,418,750. The Office is working with four additional municipalities for four new loans estimated to total \$1,175,000.

- By 2005 the Office of Site Evaluation will have completed 50 Targeted Site Assessments on a number of Brownfield properties throughout the state. Working in close coordination with local mayors and city managers, personnel of the Office of Site Evaluation will first identify viable candidate sites, and then conduct (free of charge to the municipality) an environmental investigation of the property to determine if the site contains contaminants that may act as a deterrent to local redevelopment efforts.

By 2005, participate in four leveraged Brownfields grant projects with Region 5. The Office of Brownfield Assistance and Region 5 developed a joint state/federal grant initiative wherein U.S. EPA assessment, cleanup and RLP Grant funds are used to meet state grant match requirements so Illinois EPA Brownfields Redevelopment Grant funds could be provided to Illinois municipalities.

4. **Program Resources**

The environmental focus areas identify projected resources for the BOL:

Program	Federally-Funded Work Years	State-Funded Work Years	Total Work Years
Hazardous Waste Management	60	56	116
Leaking Underground Storage Tanks	30	47	77
Federal Cleanups	43	0	43
Other Environmental Areas (Brownfields)	12	1	13
TOTAL	145	104	249

5. Federal Role

Hazardous Waste Management

- *RCRA Subtitle C Program*
 - Provide compliance assistance to regulated entities subject to new federal regulations.
 - Provide compliance assistance to qualifying small businesses in priority sectors (i.e., industrial organic chemicals and metal services).
 - Provide assistance to Illinois EPA, if requested by Illinois EPA's BOL and/or Illinois' Small Business Program for Illinois EPA delivery of compliance assistance in accordance with U.S. EPA's "Policy on Compliance Incentives for Small Business," issued May 20, 1996, effective June 10, 1996, for RCRA authority regulations.
 - Discuss with, and/or explain to Illinois EPA: (a) new or revised federal RCRA rules, (b) new or revised Strategic Plans affecting HW, (c) U.S. EPA's Hazardous Waste Civil Enforcement Response Policy, (d) U.S. EPA's RCRA Civil Penalty Policy, (e) U.S. EPA's computerized programs to determine financial status of RCRA-regulated entities, (f) U.S. EPA's sector-, waste-, or rule-specific enforcement strategies, (g) RCRA Info and other U.S. data management developments.
 - Provide assistance to Illinois EPA in conducting financial analyses of violators' claim of inability to pay for injunctive relief and/or monetary penalties in formal enforcement actions brought by the State of Illinois.
 - Inspect installations handling hazardous waste: Criteria for U.S. EPA's selection of installations include (a) statutory mandate (i.e., installations managing hazardous waste in a manner for which RCRA requires a permit, which are owned and/or operated by state and/or local governments; and treatment, storage, and disposal facilities receiving CERCLA waste from off-site locations), (b) requests from Illinois EPA, (c) federal facilities, (d) installations subject to open federal enforcement judicial and/or administrative decrees/orders, (e) treatment, storage, and disposal facilities subject to RCRA permit conditions issued, administered, and enforced by U.S. EPA, and (f) installations that have never been inspected in the past.
 - Issue enforcement responses to RCRA violations detected by U.S. EPA, or referred to Region 5 by Illinois EPA, in accordance with U.S. EPA's Hazardous Waste Civil Enforcement Response Policy, U.S. EPA's RCRA Civil Penalty Policy, and relevant U.S. EPA enforcement strategies.
 - Conduct inspections at state and local TSDFs and coordinate any enforcement efforts with BOL.
 - Work with BOL to inspect all federal TSDFs and coordinate any enforcement efforts with BOL.
 - Work with BOL to identify and integrate the various RCRA facility universes. These universes include: GPRA baseline for CA high priority under the National Corrective Action Prioritization System (subject to corrective action), land disposal, treatment/storage. In addition, the region will work with BOL in re-evaluating select facilities as requested by either party.

- Implement a plan for imposing corrective action at GPRA baseline facilities, which do not or will not have RCRA permits.
- Work with BOL to develop an agreement for addressing the renewal of the corrective action portion of expired RCRA permits. Region 5 addressed the corrective action portion of all RCRA permits issued prior to 1990. However, Region 5 and BOL will share the future workload under the agreement.
- Assist BOL with an expedited review and approval of ARAs submitted.
- Work with BOL and other Region 5 states to explore ways to expedite and improve the authorization process.
- Provide technical assistance and training (as needed) for the review of RCRA requirements.
- Provide RCRA Info support and training as needed and requested by BOL. In addition, Region 5 will continue to maintain the Handler Identification module of RCRA Info.
- Work with the Superfund Division to ensure the completion and submittal of all Hazardous Waste Management Annual Reports and all Non-hazardous Waste Shipped Out-of-State Annual Reports.

Federal Cleanups

- *National Priorities List Program*
 - Provide guidance, policy decisions, and program updates in a timely manner that may impact the state's program.
 - Provide Core, Site Assessment, and other cooperative agreements yearly funding for effective implementation of the state's programs.
 - Support state activities through participation in meetings, community involvement, co-hosting conferences, seminars, and information sessions, as appropriate.
 - Provide technical expertise wherever possible.
 - Pursue new approaches to allow new technologies to be used in Superfund.
 - Review and provide assistance on state work as requested or required.
 - Provide lab analytical services if possible when requested by the state.
 - Develop comfort letters and/or prospective purchaser agreements.
 - Respond to requests to assist with transfer of federal properties for re-use or redevelopment.
 - Complete and submit all Hazardous Waste Management Annual Reports and all Nonhazardous Waste Shipped Out-of-State Annual Reports.
 - Inform BOL of any additional grant opportunities (e.g., Brownfield grants) that become available through Region 5.

Leaking Underground Storage Tank

- Provide forums to exchange ideas and information.
- Assist in locating and/or providing specific training needs identified by the LUST Program.
- Provide projection on LUST funding, procedure and policy changes, and other information that will affect the Illinois EPA's administration of the LUST Program.

- Inform Illinois EPA of any additional grant opportunities (e.g. brownfield grants) that become available through Region 5.

6. **Oversight Arrangement**

This agreement was developed under the National Environmental Performance Partnership System (NEPPS) guidance dated May 17, 1995. The oversight arrangements and BOL/Region 5 relationship will follow the provisions of the NEPPS for the programs identified below.

RCRA Subtitle C Partnership Arrangement

Considering BOL's past performance and the cooperative working relationship with Region 5, BOL will assume an independent self-management role in RCRA implementation and look to Region 5 for support and assistance in more specialized areas. To ensure an efficient and effective program, BOL will conduct the file audits and program self-assessments/self-evaluations in order to demonstrate the program's success and areas of concern. In particular, BOL will:

- (a) Meet once in November 2004 to discuss the *State's Performance Report for the Performance Partnership Grant*;
- (b) Conduct an annual mid-year program meeting in May 2005 to discuss the *State's Self-Assessment*;
- (c) Conduct at least quarterly program component (e.g., permit/corrective action, enforcement, RCRA Info) conference calls;
- (d) Conduct joint inspections; and
- (e) Investigate and respond to inquiries from Region 5 concerning facilities that do not appear to have been timely and/or appropriately addressed under Illinois' enforcement program. This will include at least one annual meeting between Region 5 and Illinois EPA to discuss the file audit results. Final file audit procedures will be developed and documented during FY05.

Superfund Partnership Arrangement

Region 5 and BOL support each other's activities throughout the Superfund process, including reviews of work plans, investigations, community relation plans, risk assessments, remedial designs, etc. In order to streamline our efforts and reduce duplication of effort, the Superfund Memorandum of Agreement identifies the oversight roles of Region 5 and BOL. These roles are outlined in the table below.

Document for Review	Federal Role	State Role
Community Relations Plan	A (limited)	RC
Health & Safety Plan	RC	AUD
Quality Assurance Project Plan	A (limited)	AUD
Sampling Plan	RC	RC
Field Remedial Investigation Activities	AUD	AUD
Draft Remedial Investigation Report	RC	CNC

Final Remedial Investigation Report	AUD	AUD
Feasibility Study Work Plan	AUD	AUD
Applicable or Relevant and Appropriate Regulations Review	RC	RC
Draft Feasibility Study	RC	RC
Final Feasibility Study	AUD	AUD
Proposed Plan	A	RC
Record of Decision	A	CNC
Responsiveness Summary	RC	AUD
Final Design (Fund Lead)	RC	RC
Final Design (Enforcement Lead)	AUD	AUD
Remedial Action Change Orders (Fund Lead)	RC (subject to Block Grant initiatives)	RC
Preliminary and Final Inspections	P	P
Preliminary and Final Closeout Reports (Fund Lead)	A	A
Preliminary and Final Closeout Reports (Enforcement Lead)	CNC	CNC
Five-Year Reviews (Fund Lead)	RC	RC
Five-Year Reviews (Enforcement Lead)	AUD	AUD

Where:

A	Approve	Each agency fully approves each document before the document can be considered final.
AUD	Audit	Prior approval or a response to the document is not required; however, the support agency may do a review after the fact to determine conformance with established procedures. If there is a deficiency identified and the parties concur, then steps shall be taken to correct the deficiency. Non-concurrence on deficiencies should be elevated to the appropriate management levels.
RC	Review and Comment	The support agency will review and comment on the designated document. The lead agency does not need to receive an approval from the support agency to produce a final document.
CNC	Concur or non-concur	The support agency may either concur or non-concur on the document. Non-concurrence will require that the issues relevant to the document are elevated to the appropriate management level for potential resolution of the dispute.
P	Participate	The support agency will be given adequate notice and supporting documentation to attend meetings.

LUST Oversight Arrangement

- Conduct semi-annual meetings (at mid-year and end-of-year) with Region 5 to discuss the current status of the LUST Program, changes in legislation, regulations, policies and procedures.
- Provide semi-annual financial status reports.

Reporting/Outputs

- STARS Report will be submitted to U.S. EPA on April 15th and October 15th.
- FSRs will be provided quarterly.
- Illinois EPA, LUST Annual Report will be provided when published.

Special project (i.e., brownfields project) status reports will be provided semi-a

Bureau of Water

Region 5 U.S. EPA/State Shared Goals: 1) All waters in Region 5 will support healthy aquatic biological communities. 2) All waters in Region 5 will support fish populations with safe levels of contaminants. 3) Designated swimming waters in Region 5 will be swimmable. 4) All people in Region 5 served by public water supplies will have water that is consistently safe to drink. 5) The quantity and quality of critical aquatic habitat in Region 5, including wetlands, will be maintained or improved.

Illinois EPA Strategic Plan Initiative: Implement programs to sustain designated uses of streams, lakes and groundwater.

Illinois EPA Performance metrics: Percentage of assessed stream miles with good water quality; Percentage of assessed lake acres with good water quality; Percentage of assessed groundwater with good water quality; Percentage of compliant major dischargers.

Objective: Assess surface waters.

- 305(b)/303(d) Integrated Reporting – Illinois EPA, with assistance provided by region 5, will continue to work on transitioning to Integrated Reporting (IR) to insure that a final list is delivered to Region 5 by April 1, 2006. Movement from the old Assessment Database (ADB) to the new ADB will be completed by February 28, 2005, so that the goal of using the system for the 2006 reporting cycle can be attained. (PAM#45)
- Update to Illinois' Five-Year Monitoring Strategy – Illinois EPA, with guidance provided by Region 5, will complete a document that updates/revises our current monitoring strategy (*Water Monitoring Strategy: 2002-2006; IEPA/BOW/02-005*). This update will be completed by February 28, 2005. (PAM#44)
- Development of Biological Methods and Assessment Criteria – Illinois EPA will work towards completion of a new multi-metric macro invertebrate Index of Biotic Integrity by the end of this federal fiscal year. This includes presentation at Biocriteria Workgroup meetings that will continue to be coordinated to solicit public comments regarding biological assessment tool development. (PAM#41)
- Continuous Dissolved Oxygen Monitoring – The Agency will build upon lessons learned from a continuous 72-hour dissolved oxygen monitoring pilot project conducted by our Central Monitoring and Assessment Unit in July/August 2004 at Sangamon River Intensive Basin Survey (IBS) sites. It is hoped that the equipment and personnel resources can be garnered to conduct this new monitoring program activity at all Summer 2005 scheduled IBS sites.
- River Assessment Initiatives – The Agency will continue to participate in an advisory capacity for the variety of river assessment projects currently underway, including the Large River biological assessment/evaluation tool development work being conducted by U.S. EPA, Ohio River Valley Sanitation Commission (ORSANCO) and other partners, and the National Wadable Streams Assessment work being conducted by the Midwest Biodiversity Institute, Region 5, and other partners.
- SWIMS 2005 – Participate in planning and conducting the February 1-3, 2005, Surface Water Monitoring and Standards (SWIMS) meeting in Chicago.

- Wetland Assessment Protocol Development – Pursuant to the schedule outlined in our 104(b)(3) grant, the Agency will partner with other state and federal agencies and academic and research entities to form a Technical Work Group that will work together to develop a comprehensive wetland monitoring and assessment protocol, including a Quality Assurance Project Plan (QAPP) and a designated Wetland Use(s).
- Fish Consumption – The Agency will assist U.S. EPA in conducting the national fish contaminant survey. Illinois EPA will also reconcile, as appropriate, designated uses and water quality criteria for water bodies with risk assessment methodologies for developing fish advisories/classifications.
- STORET - Illinois EPA will transmit quality assured data from Illinois EPA's copy of STORET to the national STORET data warehouse at least once by September 30, 2005. As needed, Illinois EPA will work with external users to correct identified data issues and update the national STORET data warehouse.
- Vermilion (Illinois R.) Watershed – The Agency will assess data collected in this watershed during 2004 and provide to U.S. EPA revised information to track progress toward meeting the goal of > 20 percent of waters assessed and >80 percent of assessed waters attaining water quality standards. This information will be provided by September 2005. (Sub-objective 2.2.1)

Objective: Protect and maintain existing high quality waters.

Permit activities

- Continue working on backlog reduction as committed to in the strategy. (See Major Permits Backlog List) Illinois EPA will update the lists for majors and minors that were terminated or expired in CY2004. Both an updated majors list and a minors permit list will be sent to U.S. EPA after December 31, 2004.
- Achieve a 90 percent permit issuance rate for all majors and minors by CY2005. Continue to maintain the 90 percent issuance rate beyond CY2005. (*PAM#59*)
- Implement the wet weather initiatives consistent with, and within the context of, the backlog strategy. Combined Sewer Overflow (CSO) permits currently expired or expiring through 2005 are high priority permits and Illinois EPA will provide draft major permits to Region 5 for review and will issue the permits during 2005.
- The national goal to institute CSO Long Term Control Plans (LTCP) with enforceable schedules contained in permits will be achieved within the context of Illinois' backlog reduction strategy. As noted in the Joint Priority, 9 permits to be renewed will include LTCP language. These permits are:

CSO Permits to Include LTCP in 2005

A.	NPDES Number	B.	Name	C.	NPDES Exp. Date
D.	IL0028231	E.	Cowden		12/31/01
F.	IL0033472	G.	E. St. Louis *		02/28/02
H.	IL0021059	I.	Marseilles		09/30/02
J.	IL0043061	K.	Prophetstown		05/31/03
L.	IL0023141	M.	Galesburg S.D.		09/30/04
N.	IL0022161	O.	Watseka		11/30/04
P.	IL0021253	Q.	Monmouth Main		12/31/04
R.	IL0023825	S.	Cairo		05/31/05
T.	IL0027964	U.	Alton		07/31/05

* No application received – action pending in Attorney General’s office.

- CSO requirements for an additional 15 permits will be dealt with through an approach to be defined by Illinois EPA and Region 5. The following table identifies which permits will be subject to a different approach. (*PAM#36*)

CSO Permits to be Dealt with as Defined by Illinois EPA and Region 5

V.	NPDES Number	W.	Facility Name	X.	NPDES Exp. Date
Y.	IL0020184	Z.	Oregon STP		11/30/05
AA.	IL0020818	BB.	Fox Metro WRD		08/31/06
CC.	IL0021113	DD.	Morris STP		07/31/06
EE.	IL0023388	FF.	Havana STP		02/28/06
GG.	IL0024996	HH.	Oglesby STP		11/30/07
II.	IL0028657	JJ.	Fox River WRD South		09/30/06
KK.	IL0029424	LL.	LaSalle WWTP		12/31/06
MM.	IL0029831	NN.	Mattoon WWTP		10/31/05
OO.	IL0029874	PP.	Metropolis		01/31/07
QQ.	IL0031216	RR.	Spring Valley		01/31/06
SS.	IL0031356	TT.	Taylorville SD		07/31/06
UU.	IL0031852	VV.	Wood River STP		01/31/07
WW.	IL0037800	XX.	Peoria CSOs (city)		01/31/06
YY.	IL0048518	ZZ.	Aurora CSOs (city)		04/30/06
AAA.	IL0070505	BBB.	Elgin CSOs (city)		09/30/06

- Continue working on priority permit issuance. Illinois EPA's list includes 22 majors and 153 minors. This list was provided to Region 5 on July 29, 2004. Issue 95 percent of the majors and minors by the end of FFY2005. (*PAM #61*) At the end of FY2005, work with Region 5 to evaluate the effectiveness of the 95 percent goal and revise the goal as necessary for FFY2006 and beyond.
- Stormwater – Maintain database for all Municipal Separate Storm Sewer Systems (MS4s), industrial activity and construction site activity applications submitted. (*PAM #62*) Continue to monitor and update the web site and make this information available to Region 5 as needed.
- Finalize sludge regulations to conform to 503 regulations. Develop and provide Region 5 with a draft proposal of the regulations by March 2005.
- Implement new 316 regulations for power plant permits.
 - Illinois EPA will request U.S. EPA's assistance.
- Develop a draft general permit for on-site decentralized system by September 30, 2005.
- Continue to assist Region 5, as necessary, in the completion of the state specific National Pollutant Discharge Elimination System (NPDES) program integrity profile, the NPDES Management Report (updated on a six-month basis), and the legal authority review. On an annual basis, update Illinois EPA's NPDES Program Self-Assessment. Follow-up on any issues identified in the state profile or legal authority review.

Permit Backlog List

Note: Facilities listed below are by oldest date first.

Major Permits Backlog List

Facility Name	NPDES	Expiration	County	<i>Public Notice</i>	<i>Issuance Date</i>
BOMBARDIER-WAUKEGAN	IL0002267	06/01/92	Lake	*	
GOODRICH, B.F.-HENRY	IL0001392	12/01/95	Marshall	*	
FORMOSA PLASTICS-ILLIOPOLIS	IL0001350	10/24/96	Sangamon	*	
MARATHON ASHLAND PETROLEUM,LLC	IL0004073	09/30/97	Crawford	January 2005	
MODINE MANUFACTURING-MCHENRY	IL0001279	11/01/97	McHenry	December 17, 2004	
MCHENRY SOUTH STP	IL0066257	04/30/98	McHenry	January 2, 2004	December 12, 2004
CITGO PETROLEUM CORPORATION	IL0001589	06/01/98	Cook	June 2005	
SHELL OIL CO.-WOOD RIVER	IL0000205	06/15/98	Madison	January 30, 2004	April 14, 2004
WOOD DALE NORTH STP	IL0020061	06/30/98	DuPage	July 29, 2004	November 23, 2004
WOOD DALE SOUTH STP	IL0034274	08/31/98	DuPage		October 21, 2004
MWRDGC HANOVER PARK STP	IL0036137	09/30/98	Cook	September 16, 2004	December 14, 2004
MWRDGC KIRIE WRP	IL0047741	09/30/98	Cook		July 19, 2004

WHEATON S.D.	IL0031739	09/30/98	DuPage	August 19, 2004	December 21, 2004
ARGONNE NATIONAL LABS	IL0034592	07/01/99	DuPage	January 2005	
SALT CREEK SANITARY DISTRICT	IL0030953	05/31/00	DuPage	October 24, 2004	December 8, 2004
BARTLETT WWTP	IL0027618	07/31/00	DuPage		August 31, 2004
EXELON GENERATION-BRAIDWOOD	IL0048321	09/01/00	Will	December 2004	
DEERFIELD WRF	IL0028347	09/30/00	Lake	September 30, 2004	November 5, 2004
THORN CREEK BASIN S.D.	IL0027723	09/30/00	Cook	November 18, 2004	December 21, 2004

BOLINGBROOK WRF #2	IL0032735	11/30/00	Will	October 28, 2004	December 8, 2004
BOLINGBROOK WRF #4	IL0032727	11/30/00	Will	October 18, 2004	November 24, 2004
MIDWEST GENERATION,L LC-JOLIET	IL0064254	11/30/00	Will	June 2005	
MIDWEST GENERATION,L LC-JOLIET9	IL0002216	03/31/01	Will	June 2005	
PLAINFIELD WWTP	IL0020508	07/31/01	Will	October 20, 2004	December 13, 2004
ELMHURST WWTP	IL0028746	08/31/01	DuPage	November 10, 2004	December 21, 2004
ITASCA STP	IL0026280	09/30/01	DuPage	December 2004	September 22, 2004
LOCKPORT STP	IL0029611	09/30/01	Will	November 27, 2004	December 29, 2004
LTV STEEL- CHICAGO COKE PLANT	IL0002593	03/31/02	Cook	December 16, 2004	
R. LAVIN AND SONS,INC.- CHICAGO	IL0002755	03/31/02	Lake	December 2004	
BP AMOCO CHEMICAL- JOLIET	IL0001643	05/31/02	Will	July 13, 2003	
DURA AUTOMOTIVE SYSTEMS	IL0003751	06/30/02	Jo Daviess		February 23, 2004
CREST HILL WWTF	IL0064998	07/31/02	Will	October 26, 2004	December 3, 2004
EAST DUNDEE WWTP	IL0028541	07/31/02	Kane		July 9, 2004
MANTENO WATER POLL. CNTRL CNTR	IL0025089	07/31/02	Kankakee		October 6, 2004
MORTON STP #2	IL0030015	08/31/02	Tazewell		March 25, 2004
BELVIDERE STP	IL0027685	09/30/02	Boone	November 3, 2004	December 8, 2004
HARVARD STP	IL0020117	09/30/02	McHenry	November 1, 2004	December 8, 2004
KANKAKEE RIVER METRO AGENCY	IL0021784	09/30/02	Kankakee		June 24, 2004
MARSEILLES STP	IL0021059	09/30/02	LaSalle	November 13, 2004	December 16, 2004
ROCK RIVER W.R.D. STP	IL0027201	09/30/02	Winnebago	October 20, 2004	December 15, 2004
ST. CLAIR TWP	IL0048232	09/30/02	St. Clair		August 30, 2004
CATERPILLAR INC.-PONTIAC	IL0061361	10/31/02	Livingston	November 23, 2003	
DYNEGY MIDWEST GENERATION-	IL0000043	01/31/03	Randolph	September 2005	

BALD					
DIXON STP	IL0026450	02/28/03	Lee		May 28, 2004
EQUISTAR CHEMICALS, LP	IL0002917	02/28/03	Grundy	September 2005	
PREMCOR REFINING	IL0001244	03/31/03	Madison	February 27, 2004	November 8, 2004
OTTAWA STP	IL0030384	04/30/03	La Salle		September 22, 2004
U.S. STEEL- GRANITE CITY	IL0000329	04/30/03	Madison	December 19, 2004	
WOODSTOCK SOUTH STP	IL0034282	04/30/03	McHenry	October 28, 2004	December 10, 2004
EXXONMOBIL OIL-JOLIET REFINERY	IL0002861	05/31/03	Will	November 30, 2004	
PEKIN STP #1	IL0034495	05/31/03	Tazewell		May 4, 2004
UNITED STATES STEEL CORP	IL0002691	05/31/03	Cook	June 2004	Terminated July 30, 2004
IBP INC.- GENESEO	IL0003913	06/30/03	Rock Island		March 25, 2004
AMEREN CIPS – GRAND TOWER	IL0000124	07/31/03	Jackson	March 2005	
AMEREN ENERGY- MEREDOSIA	IL0000116	04/30/03	Morgan	March 2005	

**These permits are impossible to determine the Public Notice for reasons listed:
Bombardier-Waukegan – Bankrupt; B.F. Goodrich – Unissuable due to appeal of
permit; Formosa Plastics – Explosion and fire at plant – presently closed – officials
deciding if this facility will be operable.*

Major Permits to be Reviewed in CY2005

Facility Name	NPDES	Expiration	County	Public Notice	Issuance Date
Greenville STW	IL0026298	January 31, 2005	Bond	January 31, 2005	
Stookey TWP STW Main	IL0025232	February 28, 2005	St. Clair	January 15, 2005	
Scott Air Force Base	IL0026859	February 28, 2005	Champaign	December 29, 2004	
Ameren Energy Resources – Edwards	IL0001970	February 28, 2005	Peoria		
Maytag Corporation – SW	IL0004715	February 28, 2005	Williamson		
Milan STW	IL0020214	March 31, 2005	Rock Island	February 15, 2005	
Streator STW	IL0022004	March 31, 2005	LaSalle	February 15, 2005	
Rantoul STW East	IL0022128	April 30, 2005	Champaign	February 28, 2005	
Ameren Energy Co. LLC-Clinton	IL0036919	April 30, 2005	De Witt		
BASF Corporation – Joliet PLT	IL0001619	April 30, 2005	Will		
Kincaid Generation, LLC	IL0002241	April 30, 2005	Christian		
Midwest Generation, LLC – Crawford	IL0002186	April 30, 2005	Cook		
Midwest Generation, LLC – Fisk	IL0002178	April 30, 2005	Cook		
Geneseo STW	IL0021814	May 31, 2005	Henry	March 31, 2005	
Cairo STW	IL0023825	May 31, 2005	Alexander	March 31, 2005	
Canton STW West	IL0027839	May 31, 2005	Fulton	March 31, 2005	
BPB Manufacturing Ind.- Quincy	IL0003247	May 31, 2005	Adams		
Center Point Properties	IL0001341	May 31, 2005	Cook		
Exelon Generation – Quad Cities	IL0005037	May 31, 2005	Rock Island		
Midwest Generation, LLC – Will Co.	IL0002208	May 31, 2005	Will		
Lake in the Hills S.D.	IL0021733	June 30, 2005	McHenry	April 30, 2005	
East Peoria STW #1	IL0028576	June 30, 2005	Tazewell	April 30, 2005	
East Peoria STW #3	IL0046213	June 30, 2005	Tazewell	April 30, 2005	
Caseyville TWP STW East	IL0021083	July 31, 2005	St. Clair	May 31, 2005	
Alton STW	IL0027464	July 31, 2005	Madison	May 31, 2005	
Bloomington/Normal WRD – West	IL0027731	August 31, 2005	McLean	June 30, 2005	
Carbondale STW SE	IL0027898	August 31, 2005	Jackson	June 30, 2005	

Centralia STW Main	IL0027979	August 31, 2005	Marion	June 30, 2005	
Mundelein STW	IL0022501	September 30, 2005	Lake	July 31, 2005	
Salem STW	IL0023264	September 30, 2005	Marion	July 31, 2005	
West Frankfort STW	IL0031704	September 30, 2005	Franklin	July 31, 2005	
Naperville-Springbrook	IL0034061	September 30, 2005	DuPage	July 31, 2005	
Charleston STW	IL0021644	October 31, 2005	Coles	August 31, 2005	
Lake County DPW-Des Plaines	IL0022055	October 31, 2005	Lake	August 31, 2005	
Lake County DPW-New Century	IL0022071	October 31, 2005	Lake	August 31, 2005	
Benton STW Northwest	IL0022365	October 31, 2005	Franklin	August 31, 2005	
Clinton S.D.	IL0023612	October 31, 2005	DeWitt	August 31, 2005	
Mokena STW	IL0024201	October 31, 2005	Will	August 31, 2005	
Collinsville STW	IL0028215	October 31, 2005	Madison	August 31, 2005	
Herrin STW	IL0029165	October 31, 2005	Williamson	August 31, 2005	
Mattoon STW	IL0029831	October 31, 2005	Coles	August 31, 2005	
Monticello STW	IL0029980	October 31, 2005	Piatt	August 31, 2005	
Urbana-Champaign S.D. Northeast	IL0031500	October 31, 2005	Champaign	August 31, 2005	
Urbana-Champaign S.D. Southwest	IL0031526	October 31, 2005	Champaign	August 31, 2005	
DuPage County DPW-WDRDG Grnvlly	IL0031844	October 31, 2005	DuPage	August 31, 2005	
Romeoville STW 1 & 2	IL0048526	October 31, 2005	Will	August 31, 2005	
Wauconda STW	IL0020109	November 30, 2005	Lake	August 31, 2005	
Cary STW	IL0020516	November 30, 2005	McHenry	September 30, 2005	
DeKalb S.D. Main	IL0023027	November 30, 2005	DeKalb	September 30, 2005	
Glendale Heights STW	IL0028967	November 30, 2005	DuPage	September 30, 2005	
Flora STW	IL0020273	December 31, 2005	Clay	October 31, 2005	
West Chicago STW	IL0023469	December 31, 2005	DuPage	October 31, 2005	
Chester STW New	IL0072931	December 31, 2005	Randolph	October 31, 2005	

- The Agency will review NPDES applications for coverage under the general permit for sand and gravel operations, with the goal of issuing coverage with either a general permit or individual permit by December 31, 2005. There are approximately 184 facilities in this group.
- The Agency will submit the draft non-coal mine NPDES general permit by December 15, 2004 for Region 5 review. After Region 5's prompt review of the draft permit, the Agency will public notice the non-coal mine permit for sand and gravel operations by January 31, 2005.
- The Agency will identify 5-10 major NPDES permits, which Region 5 would review prior to public notice. The list of permits will include one or more of the issues of wet weather, TMDLs, critical industrial sectors, CSO linked to water quality impairment, toxicity, expired more than 2 years, and dischargers more than 10 MGD.

CAFO

- The Agency will review the Concentrated Animal Feeding Operations (CAFO) permit applications for coverage under the CAFO general permit. The Agency will act upon applications (Notices of Intent) received within 180 days of having determined that the application is complete, and will provide a report at mid-year and at end-of-year of the total number of applications in-house, as well as the number of those complete applications which have been in-house more than 180 days and have not been acted upon.
- Individual CAFO permits will be issued when additional permit conditions are needed or when the conditions of the general permit would not be met, thereby requiring different permit conditions.
- The applicants will be required to submit best management practices plans for nutrient management, stormwater control and spill control as part of the permit application.
- A notice will be posted on the Illinois EPA website when review of the application and plans is complete and the Illinois EPA has determined that the CAFO can be covered under the general permit.
- The Agency will revise its existing livestock waste regulations (subtitle E) in accordance with the federal CAFO rule of April 2003. The Agency will continue to work with the federal contractor in this effort, providing a draft for initial public stakeholder review by December 15, 2004. A final review of the rule will be conducted with the consultant and Region 5 in March 2005, so that a proposed rule may be submitted to the Board by April 14, 2005. (*PAM #60*)
- The Illinois EPA will continue to work with Region 5 and the State Technical Committee to ensure that the committee appropriately addresses AFO and impaired waters issues. The Illinois EPA will be represented at these meetings by the Bureau of Water staff and/or the Agency's agricultural and rural affairs advisor.

Inspection Activities

Major Dischargers

- An engineer or specialist will schedule inspections with a target of at least 40 percent of major facilities receiving a compliance inspection each year, and an additional 30 percent receiving a reconnaissance inspection. All major facilities will receive a minimum of one complete inspection during every five-year permit cycle.
- All majors will be visited approximately six times per year at a minimum by a reconnaissance/sampling technician.
- Major facilities with compliance problems will be scheduled for more frequent compliance inspections, and majors with good compliance histories will receive oversight through a combination of professional staff and technician reconnaissance inspections.
- Illinois EPA will provide Region 5 with a list of planned major discharger inspections by January 15, 2005. [Note: Illinois EPA will not enter planned inspections in PCS due to resource limitations.]

Minor Dischargers

- Illinois EPA will target a minimum of one inspection at minor wastewater treatment facilities during each five-year permit cycle.
- Inspections of quarries, sand and gravel operations, and non-contact cooling water dischargers will be on an as-needed basis, when a complaint has been received or there is information indicating a potential violation. Illinois EPA will attempt to inspect each one at least once during a five-year permit cycle.

Pretreatment Inspections

- Pretreatment audits and compliance inspections will not be scheduled unless information becomes available indicating that a Publicly Owned Treatment Work (POTW) is not properly implementing the program.
- Input on possible inspections to be conducted by Region 5 will be provided on request.
- Illinois EPA will provide Region 5 with a list of planned Industrial User (IU) inspections (to the extent they are not included in planned major discharge inspections) by January 15, 2005.

Technician Reconnaissance Inspections

- Illinois EPA will attempt to maintain the level of approximately 8,500 site visits annually to keep abreast of overall plant condition, equipment malfunction, poor effluent quality, or bypassing, although a current staff vacancy could prevent maintaining coverage in one region.

Stormwater

- Illinois EPA will continue to conduct inspections of NPDES permitted stormwater facilities, including both scheduled inspections and response to citizen complaints.
- Stormwater inspections will use resources that were devoted to major discharger and pretreatment inspections in past years.
- Illinois EPA will assist Region 5 on request in obtaining copies of Stormwater Pollution Prevention Plans from permittees for their review.

- Illinois EPA finalized agreements in FY 2004 with Soil and Water Conservation Districts in six counties supporting the Districts' inspections of stormwater sites.
 - Follow-up inspection and compliance activities coordinated with the Districts are a priority in these counties (DeWitt, Macon, Madison, McHenry, St. Clair, and Winnebago Counties).
 - During the next year, we will be looking for opportunities to expand this outreach effort.
 - One area of emphasis for stormwater inspections is the rapidly developing American Bottoms and surrounding locations in the Collinsville region.
- As resources allow, each region will prioritize an area or areas within the region, and implement a program to address stormwater permit compliance in the identified area(s).
 - Selection of the areas should take into account the amount of construction and development activity occurring and the sensitivity of receiving waters.
 - In addition to site-by-site inspections, consideration should also be given to contacts with consultants and developers in the area, municipal offices responsible for permitting or subdivision approval, and other entities to help "get the word out" regarding stormwater requirements.

Wet Weather Discharges

- Illinois EPA will complete the U.S. EPA project regarding inspections of selected CSOs by December 31, 2005.
- Illinois EPA will schedule other CSO inspections on a case-by-case basis in response to complaints, unusual water quality conditions, or follow-up on noncompliance with permit requirements.
- Illinois EPA field staff will be involved in developing and implementing a draft Sanitary Sewer Overflows (SSO) strategy pursuant to agreement with U.S. EPA by March 31, 2005.

Livestock Waste

- Inspection plan will reflect citizen complaints, existing enforcement actions and facilities with a history of problems.
- Targeted surveys will be continued with a goal of identifying and inspecting facilities larger than 1000 animal units or subject to NPDES requirements.
- Illinois EPA will attempt to meet U.S. EPA's goal of inspecting 20 percent of identified large CAFOs each year.
- As resources allow, inspections of facilities in watersheds of PWS reservoirs and areas with large numbers of facilities.

Compliance Assistance

- Illinois EPA will conduct a minimum of 4 Operation and Maintenance Evaluation Projects and 6 Compliance Maintenance Evaluation Projects during the reporting year. We will also include the development of training aids for field use by a wider group of field personnel.

Industrial Users Tributary to Non-delegated POTWs

- Inspections will be continued with a goal of completing inspections at 20 percent of facilities during FFY2005.

Compliance Assurance

- Monitor compliance of NPDES permittees with permit requirements.
- Take appropriate compliance and enforcement actions in accordance with the Illinois EPA's Enforcement Management System and Section 31 of the Illinois Environmental Protection Act for violations of NPDES, Stormwater, SSO/CSO, CAFO and other violations of environmental regulations.
- Monitor compliance with Compliance Commitment Agreements (CCAs) and enforcement orders and take appropriate follow-up actions.
 - Maintain major compliance rate at ≥ 95 percent.
 - Maintain required data elements in the Permits Compliance System (PCS).
 - Maintain Discharge Monitoring Report (DMR) entry rates for major dischargers at ≥ 97 percent.
 - Collect, review, and enter into PCS, Annual Pretreatment Reports.
 - Prepare, and timely report to U.S. EPA, Quarterly Non-Compliance Reports (QNCRs) for major facilities.
 - Review and update "Watch Lists" on a quarterly basis.
- The Illinois EPA will begin work preparing for the conversion from PCS to Integrated Compliance Information System (ICIS)-NPDES by reviewing data entry procedures and making necessary upgrades to the Illinois EPA's electronic Discharge Monitoring Report (eDMR) and Agency Compliance and Enforcement System (ACES).
- All routine inspections completed by June 30 of each fiscal year, must be reported in PCS by September 30 of that year.
- When violations are identified during routine inspections, this information will be entered into PCS.
- CSO notifications from municipalities will be entered into PCS. An approach to tracking SSO notifications will be identified as part of the SSO strategy that Illinois EPA will submit in March 2005.
- Illinois EPA will report in the End of Year report the number of POTWs that are beneficially reusing all or part of their bio-solids.
- The Illinois EPA will expand the use of electronic reporting to include additional facilities as well as additional types of reports received from wastewater facilities.
- The wastewater operator certification program will be enhanced to include a continuing education requirement for renewing certificates to ensure certified operators receive training on a continuing basis. In addition, the industrial operator certification program will be restructured based on process types.
- Illinois EPA will provide timely feedback on the, nature of and results of response to, complaints forwarded to Illinois EPA by U.S. EPA.
- Compile and submit 2004 calendar year annual non-compliance report for NPDES non-majors by April 30, 2005.

Wetlands Activities

- Illinois EPA will provide to Region 5 the number of 401 certifications issued and denied during FFY05 by November 1, 2005.
- Illinois EPA will review applications for 401 Certification for compliance with water quality standards, assessment of alternatives, and designated uses.
- Illinois EPA will work closely with Region 5 on the development of a wetland monitoring strategy by the end of FFY05.

State Revolving Fund Loan Program

- Illinois EPA will continue to manage the low interest loan program for both wastewater and drinking water facilities.
- Illinois EPA has implemented a leveraged program in anticipation of an increased demand for both wastewater and drinking water loan assistance. (*EPA PAM#70*) Appropriation levels for FY2005 could be used to support a \$100M bond sale for the Clean Water SRF and a \$50M bond sale for the Drinking Water SRF.
- Illinois EPA will also evaluate the possible use of SRF funds for nonpoint projects. In addition, the Bureau will initiate negotiations with the region on the delegation of the administration of the state and Tribal Assistance Grant (STAG) grant program.

Objective: Eliminate use impairments in Illinois waters with identified problems.

Total Maximum Daily Load (TMDL) development.

- Continue 3rd Round of 15 watershed-based TMDLs. During the monthly Water Directors' call, Illinois EPA will provide information on the watersheds scheduled and the dates the request for proposal (RFP) and final contract approvals are made.
- Initiate 4th Round of 25 watershed-based TMDLs. During the monthly Water Directors' call, Illinois EPA will provide information on the watersheds scheduled and the dates the RFP and final contract approvals are made.
- Provide Region 5 with a specific listing of TMDLs to be delivered in final form in FY 2005 by December 15, 2004.
- Provide Region 5 with TMDL contract/grant funding pre-proposals by December 15, 2004, for FY 2005 funding commitment and by November 15, 2005, for FY 2006 funding commitment.
- Report to Region 5 TMDLs to be delivered in 2006, by September 15, 2005. Deliver a schedule to Region 5 by September 15, 2005, of final TMDLs to be submitted for approval by Region 5 in FFY 2006.
- Report to Region 5 on status of TMDLs initiated in FY04. Deliver final TMDLs to Region 5 for approval in accordance with the agreed upon schedule for FFY05. (See Joint Priority) Final TMDLs submitted to the region for approval between October 1, 2004 and September 1, 2005, must address at least 44 impairments. (*PAM #52*)
- Provide draft TMDLs to Region 5 60 days prior to public notice, or alternate timeframe as agreed upon, for review and comment.
- Consolidate TMDL grants.
- Eliminate duplication in reporting on TMDL program to Region 5.
- The Accountability Pilot is a mechanism to ensure that watershed management actions are given equal weight with TMDL development commitments as negotiated

between Illinois EPA and Region 5. Illinois EPA has submitted approximately 13 projects in three watersheds for the database. We will revise and update the database as more projects become available. At least 3 additional projects, which meet the Pilot criteria, will be submitted to Region 5 during FFY05. (See Joint Priority)

- By June 1, 2005, Illinois EPA will develop, with input from Region 5, a final strategy describing how Illinois EPA will achieve the goal of addressing all listed waters within 15 years of listing, by either a final TMDL or an implemented action plan that is expected to achieve water quality standards within a reasonable time. This strategy will include the approach to addressing impairments due to nutrients.

303(d) List Development - Both agencies will continue to work with local watershed interests in high priority watersheds, as identified in the most recently approved Section 303(d) List. Among other actions, this will include participation by both agencies in the Illinois River Coordinating Council. The goal of this is initiation of at least one locally led watershed effort focused on eliminating the impairments identified in the 303(d) list for this waterbody.

Objective: Address non-continuous but recurring pollutant discharges Reduce. Nonpoint Source Pollution.

- Implement the Evaluation Framework in 2005 for the Section 319 program.
- Continue Watershed-based planning on impaired waters and, more specifically, for impaired waters identified as a priority for Farm Bill funding.
- Move forward on implementing a Nonpoint Source (NPS) Revolving Loan Program (amend State Revolving Fund (SRF) eligibility and program requirements at the state level to allow this type of funding). This program will offer low cost loans for high cost structural Best Management Practices.

Objective: Reduce nutrient loadings by promoting nutrient management practices.

- Illinois EPA will continue participation in the regional effort to develop nutrient criteria guidance through its membership in the Regional Technical Assistance Group.
- Illinois EPA will implement the elements of the nutrient plan for FY2005.
- Illinois EPA will continue to hold meetings of the Illinois Nutrient Standards Workgroup in FY2005.
- Illinois EPA will continue to support adoption of an interim phosphorus permitting strategy pending completion of numeric nutrient water quality standards.
- A United States Geological Survey (USGS) employee was assigned to Illinois EPA in 2004 for two years to work on nutrient standards as Illinois' nutrient standards coordinator.
 - Coordinator will work with Science Committee of the Nutrient Standards Workgroup as well as with researchers working on nutrient problems under Illinois Council for Food and Agricultural Research grants.
 - Will also help in the analysis of data currently being collected by Illinois EPA's Monitoring Unit and organize meetings of the Science Committee.

- Illinois EPA will produce a report on nutrient management efforts employed and estimated nutrient reductions associated with these efforts by October 1, 2005.

Objective: Work toward science-based standards (nutrients, bacteria, dissolved oxygen, sulfate) and more accurate use classifications.

- Submit a rulemaking package to the Illinois Pollution Control Board revising General Use sulfate and total dissolved solids water quality standards.
- Continue to develop water quality standards for nutrients specific to the needs and conditions in Illinois in accordance with its approved plan.
- Illinois EPA expects Board approval for a new standard for radium in FY2005.
- Bacteria standards for Lake Michigan and the Mississippi River were submitted to the Board in late 2004. These new standards are for *E.coli* and will satisfy U.S. EPA requirements. (Beach Act) (*PAM #33 & PAM IV-GL-4*)
- The Lower Des Plaines use attainability analysis has progressed to the standards revision stage. These standards revisions will include *E.coli* bacteria standards.
- Illinois EPA will continue development of standards for nutrients, human health criteria, including mercury fish tissue criteria, based on US EPA Human Health methodology, and a review and possible reorganization of use designations for the waters of the state.
- Illinois EPA commits to notifying U.S. Fish and Wildlife Service (USFWS) of draft and final changes to water quality standards.
- U.S. EPA will work with Illinois EPA to ensure that future adjusted standards adopted by the Illinois Pollution Control Board conform to federal requirements for either variances from water quality standards or site-specific water quality criteria.
- Illinois EPA and Region 5 will cooperatively review Illinois regulations and operating practices related to designation of waters for recreational use; the procedures utilized to make those determinations and application of related bacterial standards. The intent of the review is to identify any issues potentially in conflict with current federal regulations and policies as well as mechanisms to remedy any conflicts that may be identified.

Objective: Develop a permit program for surface-discharging septic systems.

- Develop a draft general permit for on-site decentralized systems by September 30, 2005.

Illinois EPA Strategic Plan Initiative: Ensure that public water supply systems provide water that is consistently safe to drink.

Illinois EPA Performance Metric: Percentage of population served by community water supplies providing compliant drinking water.

Refer to Annual Resource Deployment Plan, **Appendix A.**

Illinois EPA Strategic Plan Initiative: Protect and restore Lake Michigan and other key waterbodies.

Lake Michigan - Maintain the percentage of Lake Michigan open shoreline miles in Good condition.

Upper Mississippi River - Illinois is committed to working with Minnesota, Wisconsin, Iowa and Missouri toward the development of principles to guide consistent: planning, assessment, and implementation of nutrient and sediment reduction programs in the Upper Mississippi River watershed. Moreover, Illinois will be implementing a special source water protection initiative for the twelve public water systems utilizing the Mississippi River for their drinking water. This will include source water protection roundtables, working with local, state, and federal stakeholders to test emergency response plans developed by community water supplies and nonpoint source pollution management plans and other strategies to protect source water quality. Illinois EPA will also work with the other Upper Mississippi River Basin states, the local communities and federal agencies to establish and maintain an early warning monitoring network on the River.

Illinois River - The Illinois River will continue to be a priority for the Section 319 program, with additional watershed-based planning needs to occur in the watershed. Illinois EPA is investigating the possibility of piloting a NEMO (NPS Education for Municipal Officials) program in the Peoria Tri-County area. In addition to the NEMO program, the NPS program will be implementing a restoration project on Springdale Creek. This project will improve water quality and have an extensive outreach/education component. On the urban side, the NPS program along with Association of Illinois Soil and Water Conservation District is targeting an urban restoration grant program to Illinois urban centers. Of the 27 counties identified, 18 are within the Illinois River Watershed.

Fox River Water Quality Study - The Fox River Study Group will achieve a long-term goal of identifying and achieving appropriate water quality standards, point and nonpoint pollutant source controls and other resource management practices to maintain the full integrity of the Fox River.

- Illinois EPA will continue to participate in work by the Fox River Study Group to develop and employ a comprehensive computer model of the watershed. When completed, the model will be used to assess methods to correct existing water quality issues throughout the watershed, as well as identifying and preventing potential new problems.
- Illinois EPA will also continue to work with U.S. EPA Region 5 and the Fox River Study Group to direct funding from Congressional appropriations or other state or federal sources for the project.

Illinois Strategic Plan Initiative: Move from facility planning to watershed protection.

- It is the intent of the Bureau to structure ourselves to become more watershed- based, including how we issue permits, how we monitor water quality and how we prioritize NPS projects. Illinois EPA will work with Region 5 to update the Continuing Planning Process as appropriate.
- Watershed-based planning will become a priority. Planning will encompass the Section 319 NPS program, the TMDL program and all aspects of local water quality issues. Illinois EPA will foster local watershed management planning that meets U.S. EPA nine minimum elements in impaired watersheds throughout the state.
- Continuation of 205(j) water quality management planning activities, Area wide Planning Commissions: for these activities to be achieved Illinois EPA will need to provide the Northeastern Illinois Planning Commission, Southwestern Illinois Regional Planning and Development Commission and the Greater Egypt Regional Planning and Development Commission sufficient funds to address facility planning, NPS related work on municipal ordinances and watershed-based planning.
- The Illinois EPA will initiate watershed planning in the Rock River basin (Green River and Kishwaukee River) to pilot a comprehensive watershed approach to all aspects of the water program (i.e., planning, monitoring, permitting, financial assistance). Illinois EPA will develop a watershed characterization (completed by August 2005) for the entire area and begin coordination with local stakeholders, (fully underway by August 2005) in FFY2005. (*PAM #49*)
- The Illinois EPA will work with Region 5 to coordinate the implementation of agricultural and environmental programs relative to impaired waters with the joint goal of initiating at least one joint funded project, which is focused on returning the waterbody to full compliance with water quality standards.

NON PRIMACY SAFE DRINKING WATER PROGRAMS								
	REGULATORY DEVELOPMENT	PUBLIC OUTREACH & COMPLIANCE ASSISTANCE	COMPLIANCE	ENFORCEMENT	INFORMATION MANAGEMENT & FEDERAL REPORTING	INSPECTIONS	STATE COMMITMENT / REGION 5 ACTIVITIES	STATE / EPA EVALUATION
	OPERATOR CERTIFICATION - Annually (by September 30, 2005) provide documentation to EPA showing ongoing implementation of Operator Certification Program to avoid 20% withholding of the DWSRF capitalization grant. Certify SW system operators. Provide training for CWS and non-community operators that have never been certified before. Certify operators at systems with a history of violations. Certify CWS operators that have never been certified before. Certify NTNCWS operators that have never been certified before. Renew certification of previously certified operators.						The Rural Water Association and other organizations conduct many of these activities	
	REGULATORY DEVELOPMENT	PUBLIC OUTREACH & COMPLIANCE ASSISTANCE	COMPLIANCE	ENFORCEMENT	INFORMATION MANAGEMENT & FEDERAL REPORTING	INSPECTIONS	STATE COMMITMENT / REGION 5 ACTIVITIES	STATE / EPA EVALUATION
Capacity Development								
					Annually provide documentation to EPA showing ongoing Implementation of both new systems program and existing systems strategy to avoid 20% withholding of the DWSRF capitalization grant. Report to the Governor on the efficacy of the strategy and progress toward improving the capacity of water systems in the state. Due Date - Sept 30, 2005			
Source Water Assessments								
Complete SWAPs.							IEPA has completed all SWAs.	
DWSRF: Implement Required activities								
							The IFAS prepares the DWSRF report.	
UCMR: Implement activities per Partnership Agreement								

APPENDIX A

Code	Type	Outcomes / Activity Measures	Data Source	Who Reports	2002 Baseline	National 05 Draft Target	Region 05 Straw Target	National 08 Target	Unit	Managing Office
Goal 2: Safe and Clean Water - Ensure drinking water is safe. Restore and maintain oceans.										
Objective 1: Protect human health by reducing exposure to contaminants in drinking water (including protecting										
Subobjective										
2.1.1	T	Water Safe to Drink: Percentage of the population served by community water systems that receive drinking water that meets all applicable health-based drinking water standards through effective treatment and source water protection.	SDWIS	Region, State & Tribe	93.6%	93%		95%	Population	OGWDW
Strategic Targets										
A	T	Percentage of the population served by community water systems that receive drinking water that meets health-based standards with which systems need to comply as of December 2001.	SDWIS	Region, State & Tribe	93.6%	94%		95%	Population	OGWDW

B	T	Percentage of the population served by community water systems that receive drinking water that meets health-based standards with a compliance date of January 2002 or later. (Covered standards include: Stage 1 disinfection by-products/interim enhanced surface water treatment rule/long-term enhanced surface water treatment rule/arsenic).	SDWIS	Region, State & Tribe	Jan-04	75%		80%	Population	OGWDW
Program Activities										
Drinking Water Standards Development										
Implementation of Drinking Water Standards										
5	T	Fund utilization rate [cumulative dollar amount of loan agreements divided by cumulative funds available for projects] for the DWSRF. NOTE: IEPA's IFAS will report on this measure.	DWNIMS	Region & State	75%	80.4%	RTN	86%	Rate	OGWDW

U.S. EPA REQUIREMENTS							
REGULATORY DEVELOPMENT	PUBLIC OUTREACH & COMPLIANCE ASSISTANCE	COMPLIANCE	ENFORCEMENT	INFORMATION MANAGEMENT & FEDERAL REPORTING	INSPECTIONS	STATE COMMITMENT/ REGION 5 ACTIVITIES	STATE/EPA EVALUATION
						(IEPA commits to all activities, except as noted.)	
1. Preparing for Security Threats at Public Water Systems: see state specific security grant workplan activities							
2. Surface Water Treatment Rule (SWTR) Implementation (FBRR, SWTR, IESWTR, LT1SWTR)							
Adopt all rules in a timely manner (within two year extension period).	Notify all systems of their regulatory requirements	Compliance - Follow-up on all violations and determine a proper course of action to ensure public health protection. When required, track the completion of CPE/CTA for PWSs where the cause/solution of turbidity problems are unclear. Ensure that disinfection profiling and benchmarking is conducted when required by rule. Complete remaining GUDI determinations. When required, track the completion of CPE/CTA for PWSs where the cause/solution of turbidity problems are clear.		Information Management and Federal Reporting - Maintain a data base management system that accurately tracks the inventory (including routine updates of system information), and violations. Maintain data base management system that electronically reports all treatment technique (TT), monitoring and reporting M/R), public notice (PN) violations. Provide inventory updates to the federal Safe Drinking Water Information System (SDWIS/FED) for all systems. Report treatment data (e.g., treatment codes for all surface water, GUDI, and purchased GUDI sources, seller's PWSID number for purchased surface water and purchased GUDI sources, etc.) Also, report the date violations return to compliance (optional for TCR and SWTR violations--after a non-seasonal system becomes a TCR or SWTR SNC for the first time, SDWIS/Fed begins automatically linking the implicit return to compliance code (ETX) to its TCR or SWRT violation whenever six months elapses since the systems's last violation), the date the State to	Inspections - Conduct sanitary surveys at surface water systems. Ensure that all surface water and GUDI systems that notify the State that they recycle spent filter backwash water, thickener supernatant, or liquids from dewatering processes, return these flows through the processes of a system's existing conventional or direct filtration system, or at alternate location approved by the State. Use sanitary surveys, CPEs, other inspections, or other activities to evaluate recycled backwash water practices when they occur at surface water and GUDI systems. When those practices are not in compliance with the FBRR require the system to modify the practices to achieve compliance; Ensure that a residual disinfectant concentration is measured according to rule requirements. Ensure that filter/disinfection practices area adequate to achieve inactivation/removal requirements for regulated microbial contaminants found in surface water; and Ensure that all required records are kept by surface water systems.	State commitment: Sanitary surveys will be conducted every 3 years for direct surface water supplies, and every 5 years for purchased surface water supplies. R5: Provide comments on draft rules, as requested. Conduct in-state LT1ESTR [and LT2SWTR] training upon state request. Notify all large surface water systems of LT2SWTR monitoring requirements, and review/approve large system LT2 monitoring plans.	
3. Total Coliform Rule (TCR)							

U.S. EPA REQUIREMENTS							
REGULATORY DEVELOPMENT	PUBLIC OUTREACH & COMPLIANCE ASSISTANCE	COMPLIANCE	ENFORCEMENT	INFORMATION MANAGEMENT & FEDERAL REPORTING	INSPECTIONS	STATE COMMITMENT/ REGION 5 ACTIVITIES	STATE/EPA EVALUATION
NA	Notifying all public water systems of their regulatory requirements	Following-up on all MCL violations and determine a proper course of action to ensure public health protection. Follow up on all M/R violations		Maintaining a data base management system that accurately tracks the inventory (including routine updates of system information), and violations. Maintaining data base management system that electronically reports all Maximum Contaminant Level (MCL), monitoring and reporting M/R), public notice (PN) violations.			
4. Ground Water Rule (GWR)						R5: Provide final GWR training upon request	
Same as above	Same as above						
5. Nitrate and Nitrite							
NA	Same as above	Follow-up on all MCL violations and determine a proper course of action to ensure public health protection; Follow-up on SNC M/R violations that occur at schools and day cares M/R violators will be I.D. and tracked; follow-up on M/R violations for systems that had levels \geq 50% MCL in the last 3 years; and explain how systems that had levels at or above 50% of the MCL, including transient systems will be I.D. ; tracked; and Follow-up on all other M/R violations;		Same as above			
6. Lead and Copper - Designate OCCT at all required CWS and NTNCWS that likely serve sensitive subpopulations. Explain how school and day care M/R violators will be I.D. and tracked							

U.S. EPA REQUIREMENTS							
REGULATORY DEVELOPMENT	PUBLIC OUTREACH & COMPLIANCE ASSISTANCE	COMPLIANCE	ENFORCEMENT	INFORMATION MANAGEMENT & FEDERAL REPORTING	INSPECTIONS	STATE COMMITMENT/ REGION 5 ACTIVITIES	STATE/EPA EVALUATION
Same as above.	Same as above	Follow-up on OCCT violations at all required CWSs and NTNCWSs serving sensitive subpopulations (i.e., schools, daycares); on SNC M/R violators when lead was detected >5 ppb at 90th percentile in the last round of initial tap sampling conducted; and explain how these systems will be I.D. and tracked; follow-up on all SNC M/R violations; follow-up on all other M/R violations when lead was detected >5 ppb at 90th percentile in the last round of initial tap sampling conducted; and explain how these systems will be I.D. and tracked. optimize corrosion control at NTNCWS that are unlikely to serve water to sensitive sub-populations. Set water quality parameter ranges for all PWSs that are required to optimize corrosion control		Same as above			
7. Volatile Organic Compounds (VOCs)							
NA	Same as above	Follow-up on SNC MCL violations(exceedance of short-term acceptable risk level) and MCL violations that occur at a PWS for > 1 year take appropriate course of action that ensures public health protection and determine a proper course of action to ensure public health protection. Follow-up on all other MCL violations	Enforce against PWSs with M/R violations that persist >= 2 compliance periods and M/R violations at systems that have historical results that are not reliably and consistently below the MCL. Follow-up on all other M/R violations.	Same as above			
8. Inorganic Contaminants (IOCs) (Including Arsenic)							
Same as above	Same as above	Same as above. Follow-up on all new MCL violations	Same as above	Same as above		R5: EPA HQ may provide As webcast training	
9. Radionuclides (including Radon)							
Same as above	Same as above	Same as above. Follow-up on M/R violations >= 2 compliance periods. Follow-up on M/R violations at regulated systems with a history of gross alpha measurements > 5 pCi/L in the last 3 years; Follow-up on all other M/R violations		Same as above		R5: EPA HQ may provide Rads Rule training. R5 will provide in-State Radon rule training	

U.S. EPA REQUIREMENTS							
REGULATORY DEVELOPMENT	PUBLIC OUTREACH & COMPLIANCE ASSISTANCE	COMPLIANCE	ENFORCEMENT	INFORMATION MANAGEMENT & FEDERAL REPORTING	INSPECTIONS	STATE COMMITMENT/ REGION 5 ACTIVITIES	STATE/EPA EVALUATION
10. Synthetic Organic Compounds (SOCs)							
NA	Same as above	Same as above for VOCs and IOCs. Follow-up on all other MCL violations. Follow-up on all other M/R violations	Same as for VOCs above	Same as above			
11. D/DBPRs							
Same as above	Same as above	Follow up on chlorine dioxide MRDL violations, MCL/MRDL violations and M/R violation. . Ensure systems using conventional filtration in compliance with DBP precursor control treatment requirements. Determine if systems qualify for reduced monitoring. Follow up on all other reporting requirement violations.		Same as above		R5 will provide training on Stage 1 DPBR upon request. R5 will notify all large and interconnected small systems of applicable Stage 2 IDSE requirements.	
12. Sodium							
NA	Notifying appropriate local and State health depts. Of the sodium levels in CWS public water systems of their regulatory requirements	Follow up on M/R violations.		Same as above			
13. Public notification							
N/A	Notify all pubic water systems of their PN requirements	Follow up on all Tier 1, 2, and 3 violations.		Maintain data base management system that accurately tracks PN violations. Electronically report al PN violations to SDWIS/FED			
14. CCR							
N/A	Notify all public water systems of their CCR requirements.		Enforce the rule when water system never issued a CCR or has not issued one for >2 years.	Maintain a data base management system that accurately tracks CCR violations. Electronically report all CCR violations to SDWIS/FED			
15. Data Reliability and Reporting Requirements							

U.S. EPA REQUIREMENTS							
REGULATORY DEVELOPMENT	PUBLIC OUTREACH & COMPLIANCE ASSISTANCE	COMPLIANCE	ENFORCEMENT	INFORMATION MANAGEMENT & FEDERAL REPORTING	INSPECTIONS	STATE COMMITMENT/ REGION 5 ACTIVITIES	STATE/EPA EVALUATION
				Make programming changes to meet changes to reporting requirements, including new inventory requirements effective in FY2000. IEPA is encouraged to implement electronic operating reports from PWSs. IEPA needs to ensure that IDPH has appropriate SOPs, to ensure that they are making correct compliance determinations. IEPA needs to ensure that IDPH fully utilizes SDWIS/State to address the majority of its data quality issues. IEPA needs to ensure that IDPH reports systems which are classified as GWUDI, to SDWIS/FED. Since SDWIS/FED no longer generates implicit return to compliance for seasonal non-community systems for TCR and SWTR, IDPH is encouraged to report RTC for seasonal-non-community systems in accordance with the definition for RTC to avoid the system appearing on the SNC list.		State commitments: IEPA currently has downloadable operating reports, and will consider developing web-based forms, based on available resources. IEPA will schedule a review of IDPH compliance procedures once IDPH's SDWIS State is fully operational., as resources allow. IEPA will ensure that IDPH reports GWUDI systems as resources allow--the data is available, but it has not been uploaded to SDWIS -State--a work schedule needs to be developed for this activity.	
N/A	N/A	N/A	N/A				
16. Annual Compliance Report (ACR): Prepare and submit an ACR by 7/1/05, which includes a summary of the number and percentage of systems, by system type, in compliance with monitoring requirements. Review and provide input to ACR data verification reports sent by the Region or USEPA HQ.							
17. Variances and Exemptions: Follow all V&E requirements.						State commitment: N/A, Not issued by IEPA.	

Toxic Chemical Management Program

- Illinois EPA will conduct 32 inspections. Illinois EPA certified TSCA/PCB inspectors will perform the inspections. Illinois EPA inspectors will also complete a PCB refresher training sponsored by U.S. EPA prior to performing new inspections.
- Illinois EPA will utilize its Organic Chemistry Lab in Springfield for securing and analysis of samples taken during compliance inspections. The Illinois EPA lab in Springfield has been evaluated and approved for PCB analysis by Region 5 U.S. EPA.
- The manager of the office of emergency response section will assure that the report format and contents are consistent with U.S. EPA standards, and that all suspected violations are properly documented before reports are submitted to Region 5 for case review and development. The latest revision of the FIFRA TSCA Tracing system (FFTS) data entry form will be used for all PCB inspections. The properly completed form will be faxed or mailed to Region 5 within seven days after the inspection is completed. Inspection reports will be submitted to Region 5 in a timely manner.
- Illinois EPA agrees to oversee any PCB cleanup that requires federal assistance, which may include verification sampling. A review process as specified in the Quality Assurance Project Plan will assure sample analysis quality. (QAPP) Illinois EPA and Region 5 U.S. EPA are currently working on a revised QAPP. Illinois EPA will finalize the TSCA/PCB QAPP update within 60 days of receipt of final comments from U.S. EPA on the draft. The QAPP will be finalized prior to Illinois EPA performing any new inspections.

POLLUTION PREVENTION

In FFY 05, the Office of Pollution Prevention will undertake the following projects and activities:

Educational Outreach

- Sponsor at least three workshops in different areas of the state to promote P2 concepts and techniques to facilities.
- Work with state executive agencies to expand the procurement of environmentally preferable products.

Technical Assistance

- Provide on-site technical assistance to over 80 facilities to help them identify and implement P2 projects.
- Recruit, train and place 15-20 student interns at selected facilities to work on P2 projects during the summer.
- Partner with the Illinois Waste Management and Research Center and others to conduct outreach to K-12 schools, including on-site assistance, workshops and grants for P2 projects.

Regulatory Integration

- In consultation with BOL, develop an Internet site that provides case studies and resources for project officers and consultants that promotes the use of P2 practices during site remediation activities.

Voluntary Initiatives

- Provide technical assistance to facilities participating in the Metal Finishing Strategic Goals Program, Tri-County *Green Matters* Program and Department of Defense/Illinois Environmental Partnership.
- Work with private and public sector groups to create environmental recognition programs for businesses and institutions in the Metro East St. Louis area as well as K-12 school facilities in the state.
- Work with vehicle recyclers, auto dismantlers, auto manufacturers and steel makers to develop a consensus strategy for collecting and safely managing mercury light switches from discarded vehicles in the state.

Measurement

- Establish and expand the use of performance measures to help quantify the benefits of P2 technical assistance and educational outreach efforts.

Program Resources

Support eight work years with federal and state funds.

Quality Management Plan

The Illinois EPA is reviewing our Quality Management Plan (QMP) and revising as necessary. To accomplish this task in an efficient and effective manner, the Agency will need to assess the results and recommendations of the Management System Review (MSR) that was conducted by Region 5 quality review committee in the fall of 2003. The appropriate findings will be incorporated into the revised QMP.

The Bureau's will review and revise Standard Operating Procedures (SOPs) as necessary, as documented in the Bureau's QMP.

Estimated Timeframe for a revised Quality Management Plan

Region 5 - Final report on the MSR February 2005.

IEPA - a draft revised QMP in the May/June 2005.

IEPA revised QMP by October 2005.

Appendix A

- 1 The Air Quality Index, which replaced the Pollutant Standards Index, includes the 8-hour ozone and PM_{2.5} standards. It also includes six categories of air quality: good; moderate; unhealthy for sensitive groups; unhealthy; very unhealthy; and hazardous.
- 2 Superfund generally refers to the federal program administered by the United States Environmental Protection Agency under the authority of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA or Superfund) and the implementing regulations of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR 300.
- 3 Supplemental environmental project is an environmentally beneficial project a violator agrees to undertake in settlement of an enforcement action, but which the violator is not otherwise legally required to perform.
- 4 Illinois' only commercial hazardous waste incinerator.
- 5 Government Performance & Results Act Baseline Post-Closure Universe are those facilities undergoing closure of all of its hazardous waste management land-based units (e.g., landfills, waste piles, surface impoundments) as of October 1, 1997.
- 6 Sections 300.430 - 300.435 of the NCP
- 7 Section 120 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, and Executive Order 12580.
- 8 The U.S. Air Force previously transferred 671 acres, all contained within Operable Unit 1. Because the Environmental Baseline Survey did not capture all the areas of concern in OU 1, the Air Force has included some transferred properties into the ongoing Remedial Investigations. The additional 22.1 acres represents tank sites with completed remedial actions through FFY 2004.
- 9 While 1,420 acres remain to be transferred, this will not occur until after 2005. The primary reason is the slow progress of the Remedial Investigation. The Air Force is forecasting completion of remedial action in 2008. This schedule revision occurred during FFY 2002.
- 10 The following operable unit acreages remain to be evaluated or remediated: Additional and Uncharacterized Sites Operable Unit (31 sites, 18,427 acres); Polychlorinated Biphenyl OU (TCE groundwater, 73 acres); and Miscellaneous OU (Sites 14 and 36, 50 acres).
- 11 Congress transferred all of this property to the Department of the Interior in 1947.
- 12 Cleanup of the BRAC sites on the Surplus Operable Unit were completed in 2001 and that property was then transferred. Cleanup of the Department of Defense Operable Unit is currently ongoing. However, that property is not slated for transfer.
- 13 35 Ill. Adm. Code 740

DISPUTE RESOLUTION PROCESS

Illinois EPA and Region 5 will use an agreed upon dispute resolution process to handle the conflicts that may arise as we implement our environmental programs and will treat the resolution process as an opportunity to improve our joint efforts and not as an indication of failure.

A. Informal Dispute Resolution Guiding Principles

Illinois EPA and Region 5 will ensure that program operations:

- Recognize conflict as a normal part of the State/Federal relationship.
- Approach disagreement as a mutual problem requiring efforts from both agencies to resolve disputes.
- Approach the discussion as an opportunity to improve the product through joint efforts.
- Aim for resolution at the staff level, while keeping management briefed. Seriously consider all issues raised but address them in a prioritized format to assure that sufficient time is allocated to the most significant issues.
- Promptly disclose underlying assumptions, frames of reference and other driving forces.
- Clearly differentiate positions and check understanding of content and process with all appropriate or affected parties to assure acceptance by all stakeholders.
Document discussions to minimize future misunderstandings.
- Pay attention to time frames and/or deadlines and escalate quickly when necessary.

B. Formal Conflict Resolution

There are formalized programmatic conflict resolution procedures that need to be invoked if the informal route has failed to resolve all issues. 40 CFR 31.70 outlines the formal grant dispute procedures. There is also an NPDES conflict resolution procedure. The Superfund Program sponsors an Alternate Dispute Resolution Contract that provides neutral third parties to facilitate conflict resolution for projects accepted into the program. These are all time-consuming and should be reserved for the most contentious of issues. For less contentious matters, we will use the following procedures:

1. Define dispute - any disagreement over an issue that prevents a matter from going forward.
2. Resolution process - a process whereby the parties move from disagreement to agreement over an issue.
3. Principle - all disputes should be resolved at the front line or staff level.
4. Time frame - generally, disputes should be resolved as quickly as possible but within two weeks of their arising at the staff level. If unresolved at the end of two weeks, the issue should be raised to the next level of each organization.
5. Escalation - when there is no resolution and the two weeks have passed, there should be comparable escalation in each organization, accompanied by a statement of the issue and a one-page issue paper. A conference call between the parties should be held as soon as possible. Disputes that need to be raised to a higher level should again be raised in comparable fashion in each organization.

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